

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWELL: A bill (H. R. 12410) granting a pension to Clara J. Cunningham; to the Committee on Invalid Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 12411) granting an increase of pension to Ophelia Shoemaker; to the Committee on Invalid Pensions.

By Mr. JACOBSTEIN: A bill (H. R. 12412) granting an increase of pension to Alice L. Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12413) granting an increase of pension to Elizabeth Crosson; to the Committee on Pensions.

Also, a bill (H. R. 12414) granting an increase of pension to Rachel Walters; to the Committee on Pensions.

Also, a bill (H. R. 12415) granting an increase of pension to Caroline Whitney; to the Committee on Pensions.

By Mr. KENT: A bill (H. R. 12416) granting an increase of pension to Hannah S. Link; to the Committee on Invalid Pensions.

By Mr. RANKIN: A bill (H. R. 12417) granting a patent to W. M. McLeod and Mary Pearson McLeod Hambrick; to the Committee on Public Lands.

By Mr. BURDICK: Joint resolution (H. J. Res. 372) granting permission to Walter Stanley Haas, lieutenant commander, United States Navy, to accept a decoration bestowed upon him by the Government of Ecuador; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3889. By Mr. ABERNETHY: Petition of the American Legion, Department of North Carolina, through its commander, Wade H. Phillips, urging Congress to pass the Lineberger bill for the retirement of emergency disabled officers of the World War; to the Committee on World War Veterans' Legislation.

3890. Also, petition of Leon L. Daughtry Post, No. 22, American Legion, Clinton, N. C., through its commander, A. S. Bethune, favoring the passage of the bill to retire emergency disabled officers of the World War; to the Committee on World War Veterans' Legislation.

3891. By Mr. CULLEN: Petition of the Maritime Association of the Port of New York, favoring Senate bill 3927 (the Butler bill), which aims to correct discrimination by placing all ports on the Atlantic seaboard on a parity so far as inland-rail rates are concerned; to the Committee on Interstate and Foreign Commerce.

3892. By Mr. GRAHAM: Petition of C. V. Gregory, editor of *Prairie Farmer*, opposing amendment to Capper-Haugen cooperative bill to legalize operations of grain marketing bill; to the Committee on Agriculture.

3893. By Mr. LEAVITT: Petition of the Poplar (Mont.) Woman's Club, urging entrance of the United States into the World Court on the basis of the Harding-Hughes reservations; to the Committee on Foreign Affairs.

3894. By Mr. MEAD: Petition of the Maritime Association of the Port of New York, expressing unqualified approval of S. 3927; to the Committee on Interstate and Foreign Commerce.

3895. Also, petition of the Buffalo Chamber of Commerce, favoring legislation that will discontinue printing by Post Office Department of stamped envelopes with the name of sender; to the Committee on the Post Office and Post Roads.

3896. By Mr. MORROW: Petition of the Southern New Mexico Association, favoring congressional appropriations for the development of Carlsbad Caverns National Monument, New Mexico; to the Committee on Appropriations.

3897. By Mr. RAKER: Petition of the Purchasing Agents Association of Los Angeles, Calif., indorsing H. R. 9629, the reorganization bill; to the Joint Committee on Reorganization of Executive Departments.

3898. Also, petition of the American Farm Bureau Federation, protesting against removal of Pullman surcharge rates; also, letter from F. Pottle, of Rescue, Calif., protesting against the passage of the antirearms bill; to the Committee on Interstate and Foreign Commerce.

3899. Also, petition of Josephine E. Washburn, California State chairman of legislation, urging passage of H. R. 9095, to incorporate the American War Mothers; to the Committee on the Judiciary.

3900. Also, telegram from William E. Johnson, of Oakland, Calif., indorsing and urging passage of H. R. 6484, for retirement of emergency disabled officers of World War; also, letter

from Josephine E. Washburn, of Richmond, Calif., favoring legislative recommendations of National Reserve Officers Association; to the Committee on Military Affairs.

3901. Also, letter from the National Council of Farmers' Cooperative Marketing Associations, Washington, D. C., protesting against any legislation which will bring cooperative marketing associations under jurisdiction of a governmental board with power to license, audit, and otherwise control them; also, telegram from the California Forest Protective Association, of San Francisco, Calif., urging passage of Senate bill 4156, to establish a forest experiment station in California; to the Committee on Agriculture.

3902. Also, petition of C. C. Thomas Navy Post, No. 244, American Legion, of San Francisco, Calif., urging passage of McSwain resolution relative to universal draft; to the Committee on Military Affairs.

3903. Also, letter from the Oakland Chamber of Commerce, Oakland, Calif., relative to the pending treaty between the United States and Germany; also, letter from the General Motors Corporation, of New York City, N. Y., indorsing and urging passage of the Temple resolution (H. Res. 336); to the Committee on Foreign Affairs.

3904. Also, petition of the San Francisco Chapter of the American Institute of Architects, urging support of the King bill (S. 4253); to the Committee on Public Buildings and Grounds.

3905. By Mr. SITES: Petition of sundry residents of Dauphin County, Pa., protesting against the passage of the compulsory Sunday observance bill (S. 3218); to the Committee on the District of Columbia.

3906. By Mr. SWING: Petition of sundry residents of Escondido, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3907. By Mr. WILLIAMS of Michigan: Petition of Edward King and 15 other residents of Battle Creek, Mich., protesting against the passage of the bill S. 3218, the Sunday observance bill, so called; to the Committee on the District of Columbia.

3908. By Mr. WYANT: Petition of Sergeant P. C. Grace Camp, No. 265, Sons of Veterans, United States Army, Division of Pennsylvania, indorsing the Fuller bill (H. R. 9807); to the Committee on Invalid Pensions.

SENATE

WEDNESDAY, February 25, 1925

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer.

Gracious and ever-living God, we approach Thy throne of grace this morning thanking Thee for the mercies vouchsafed and seeking from Thee further evidence of Thy care. Be with us constantly, we beseech of Thee, and in the varied administrations of duty may there be had by us the realization that wisdom must come from Thee, that only as the Nation is exalted in righteousness shall it truly prosper. Be very near and present, and guide all our deliberations to Thy glory. For Christ's sake, Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday, February 17, 1925, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dial	Hefflin	Metcalf
Ball	Dill	Howell	Moses
Bayard	Edge	Johnson, Calif.	Neely
Bingham	Edwards	Johnson, Minn.	Norbeck
Borah	Ernst	Jones, N. Mex.	Norris
Brookhart	Fernald	Jones, Wash.	Oddie
Broussard	Ferris	Kendrick	Overman
Bruce	Fess	Keyes	Pepper
Bursum	Fletcher	King	Phipps
Butler	Frazier	Ladd	Pittman
Cameron	George	Lenroot	Ralston
Capper	Gerry	McKellar	Ransdell
Caraway	Glass	McKinley	Reed, Pa.
Copeland	Gooding	McLenn	Robinson
Commins	Greene	McNary	Sheppard
Curtis	Hale	Mayfield	Shipstead
Dale	Harris	Means	Shortridge

Simmons
Smith
Smoot
Spencer

Stephens
Sterling
Swanson
Trammell

Wadsworth
Walsh, Mass.
Walsh, Mont.
Warren

Watson
Weller
Willis

The PRESIDENT pro tempore. Eighty-three Senators have answered to the roll call.

MIGRATORY BIRD REFUGES

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives, which was read the first time on the preceding day.

The bill (H. R. 745) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes, was read the second time by its title.

The PRESIDENT pro tempore. The Chair ought to state that when the bill was laid before the Senate previously the Senator from Missouri [Mr. REED] suggested that it be referred to the Committee on the Judiciary. The Chair is of the opinion that the bill ought to be referred to the Committee on Agriculture and Forestry, and will so refer it unless the Senate otherwise directs.

Mr. KING. Mr. President, the Senator from Missouri [Mr. REED] is in committee and has not yet come into the Chamber. He is very much interested in the disposition that is to be made of the bill just laid before the Senate, and I suggest that the Chair retain it upon his desk for a moment until the Senator from Missouri comes into the Chamber.

The PRESIDENT pro tempore. The Chair will retain the bill until the Senator from Missouri comes in, if he comes in before the conclusion of morning business.

Mr. SMITH. Mr. President, may I ask one question before the Chair takes that action? Is not the Committee on Agriculture and Forestry the proper committee to which reference of a bill of this character should be made?

The PRESIDENT pro tempore. The Chair is of opinion that the bill ought to be referred to the Committee on Agriculture and Forestry and has so announced.

Mr. REED of Missouri entered the Chamber.

The PRESIDENT pro tempore. The Senator from Missouri has just entered the Chamber, however.

Mr. BROOKHART. I move that the bill be referred to the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. The Senator from Iowa moves that the bill be referred to the Committee on Agriculture and Forestry.

Mr. REED of Missouri. The motion is debatable, of course?

Mr. BROOKHART. I think it is not debatable in the morning hour.

The PRESIDENT pro tempore. The question is not debatable at this time.

Mr. REED of Missouri. If the Senator from Iowa wants to take that advantage he may do so. The bill came from the House during his absence. I asked to have it sent to the Committee on the Judiciary and was informed that the Senator from Iowa, who was absent at the time, wanted the bill to lie on the table until he could be here. I accordingly had it laid on the table and held for him. If he wants to cut me out of the right to say anything about the reference of the bill, he is at perfect liberty to do so; but if he does so, I promise him that his bill will not pass at this session.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from Iowa.

Mr. BROOKHART. Mr. President—

The PRESIDENT pro tempore. The motion is not debatable.

Mr. BROOKHART. I ask unanimous consent that we hear the Senator from Missouri before the vote is taken.

Mr. REED of Missouri. Oh, no; go ahead.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to debate the motion. Is there objection?

Mr. SMOOT. I object.

The PRESIDENT pro tempore. Objection is made and the question is upon agreeing to the motion of the Senator from Iowa [Mr. BROOKHART] that the bill be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

JUDGMENTS RENDERED BY THE COURT OF CLAIMS (S. DOC. NO. 211)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, a list of judgments rendered

by the Court of Claims, and requiring an appropriation for their payment—under the Navy Department, \$6,426.42; under the War Department, \$1,506.84; in total amount, \$7,933.26, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS RENDERED AGAINST THE GOVERNMENT BY DISTRICT COURTS (S. DOC. 213)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, in accordance with law, records of judgments rendered against the Government by the United States district courts, and requiring an appropriation for their payment—under the Navy Department, \$557.89; under the War Department, \$2,687.21; in total amount, \$3,245.10; which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JENS SAMUELSEN AND B. OLSEN V. THE UNITED STATES (S. DOC. 214)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, in accordance with law, a record of judgment rendered against the Government by the United States District Court for the Southern District of New York (under the United States Shipping Board), being a final decree or mandate in favor of Jens Samuelson and B. Olsen, owners of the Norwegian bark *Thelka* against the United States of America (steamship *F. J. Luckenbach*), in amount of judgment \$154,837.96, together with interest thereon at 5 per cent per annum from February 5, 1923, until date of judgment and costs, \$15,064.47, in total amount \$169,902.43, together with further interest at 5 per cent per annum from date of entry, etc., and requiring an appropriation for its settlement, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE (S. DOC. NO. 212)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting, in compliance with law, schedules of claims in amount \$95,954.71 allowed by the General Accounting Office, as covered by certificates of settlement, etc., under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of law, and for the service of the several departments and independent offices, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE

A message from the House, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills and a joint resolution of the Senate:

S. 970. An act for the relief of the De Kimpke Construction Co., of West Hoboken, N. J.;

S. 1016. An act for the relief of Augusta Reiter;

S. 1633. An act for the relief of James F. Jenkins;

S. 1763. An act to validate certain payments made to George M. Apple and to authorize the General Accounting Office to allow credit to certain disbursing officers for payments of salaries made on properly certified and approved vouchers;

S. 2714. An act for the relief of John F. Malley;

S. 2774. An act for the relief of G. Ferlita;

S. 2793. An act for relief of estate of Anne C. Shymer;

S. 2992. An act for the relief of the Berwind-White Coal Mining Co.;

S. 3379. An act providing for the sale and disposal of public lands within the area heretofore surveyed as Boulder Lake, in the State of Wisconsin; and

S. J. Res. 125. Joint resolution granting permission to Fred F. Rogers, commander, United States Navy, to accept certain decorations bestowed upon him by the Venezuelan Government.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 827. An act for the relief of Jessie M. White;

S. 1237. An act for the relief of the settlers and claimants to section 16, lands in the L'Anse and Vieux Desert Indian Reservation, in Michigan, and for other purposes;

S. 1323. An act for the relief of Eugene K. Stoudemire;

S. 1573. An act for the relief of Samuel S. Weaver;

S. 1725. An act for the relief of Rubie M. Mosley;

S. 2503. An act for the relief of W. H. King; and

S. 2534. An act for the relief of J. E. Saucier.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 2527. An act for the payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army; and

S. 2879. An act for the relief of James E. Jenkins.

The message also announced that the House had insisted upon its amendments to the bill (S. 4207) to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ZIEHLMAN, Mr. GIBSON, Mr. RATHBONE, Mr. BLANTON, and Mr. GILBERT were appointed managers on the part of the House at the conference.

The message further announced that the House further insisted upon its disagreement to the amendments of the Senate Nos. 1, 28, and 46 to the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes; agreed to the further conference requested by the Senate, and that Mr. DAVIS of Minnesota, Mr. FUNK, and Mr. AYRES were appointed managers on the part of the House at the further conference.

The message informed the Senate that the House had considered the request of the Senate for the return of the bill (H. R. 5084) to amend the national defense act approved June 13, 1916, as amended by the act of June 4, 1920, relating to retirement, and for other purposes, and that the unanimous consent necessary to comply with the request at that time was refused.

The message also announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 811. An act for the relief of Frederick Marshall;

H. R. 912. An act for the relief of John H. Barrett and Ada H. Barrett;

H. R. 919. An act for the relief of Frank Norton;

H. R. 1226. An act for the relief of George Penrod;

H. R. 1307. An act for the relief of William A. Glasson;

H. R. 1445. An act to change the retired status of Chief Pay Clerk R. E. Ames, United States Navy, retired;

H. R. 1579. An act authorizing the disposition of certain lands in Minnesota;

H. R. 2107. An act for the relief of Orrin F. Strickland;

H. R. 2225. An act to correct the military record of Thornton Jackson;

H. R. 2415. An act for the relief of Robert E. A. Landauer;

H. R. 2528. An act for the relief of Hannah Parker;

H. R. 2646. An act for the relief of Ida Fey;

H. R. 2921. An act for the relief of Paymaster Herbert Elliott Stevens, United States Navy;

H. R. 3618. An act for the relief of Nora B. Sherrier Johnson;

H. R. 3727. An act for the relief of Andrew Cullin;

H. R. 3771. An act for the relief of John Clarence Shea;

H. R. 3839. An act for the relief of M. Castanola & Son;

H. R. 4932. An act for the relief of Jacob F. Webb;

H. R. 5278. An act for the relief of Edward N. Moore;

H. R. 5456. An act granting six months' pay to Lucy B. Knox;

H. R. 5639. An act for the relief of Walter Baker;

H. R. 6442. An act for the relief of William H. Armstrong;

H. R. 6824. An act for the relief of Joseph A. Choate;

H. R. 7131. An act for the relief of Pleasant R. W. Harris;

H. R. 7133. An act for the relief of James Shook;

H. R. 7713. An act for the relief of Walter L. Watkins, alias Harry Austin;

H. R. 7744. An act for the relief of Wesley T. Eastep;

H. R. 7934. An act for the relief of Benjamin F. Youngs;

H. R. 8037. An act for the relief of Mallory Steamship Co.;

H. R. 8566. An act for the relief of Claude S. Betts, late ensign (pilot) Naval Air Service;

H. R. 8672. An act for the relief of Robert W. Caldwell;

H. R. 8749. An act to correct the military record of Tennessee McCloud;

H. R. 9471. An act for the relief of Henry T. Hill;

H. R. 9687. An act permitting the sale of the northeast quarter, section 5, township 6 north, range 15 west, 160 acres, in Conway County, Ark., to A. R. Bowdre;

H. R. 9969. An act for the relief of the New York Shipbuilding Corporation for losses incurred by reason of Government orders in the construction of battleship No. 42;

H. R. 10347. An act for the relief of Robert B. Sanford;

H. R. 10763. An act for the relief of William Lentz;

H. R. 11009. An act for the relief of James T. Conner;

H. R. 11425. An act to correct the military record of Sylvester De Forest;

H. R. 12300. An act to amend section 281 of the revenue act of 1924; and

H. J. Res. 226. A joint resolution for the relief of special disbursing agents of the Alaskan Engineering Commission, authorizing the payment of certain claims, and for other purposes, affecting the management of the Alaska Railroad.

The message further announced that the House had concurred in Senate Concurrent Resolution 35, to correct an error in the reenrollment of the bill (S. 3760) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes.

ENROLLED BILLS SIGNED

The message also further announced that the Speaker of the House had affixed his signature to the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 3765. An act to authorize a five-year building program for the public-schools system of the District of Columbia which shall provide school buildings adequate in size and facilities to make possible an efficient system of public education in the District of Columbia; and

S. 4045. An act granting the consent of Congress to W. D. Comer and Wesley Vandercook to construct a bridge across the Columbia River between Longview, Wash., and Rainier, Ore.

PETITIONS AND MEMORIALS

Mr. WALSH of Montana presented the following memorial of the House of Representatives of the Legislative Assembly of the State of Montana, which was referred to the Committee on Post Offices and Post Roads:

UNITED STATES OF AMERICA,

State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of an act entitled a memorial to the Senate of the United States, urging the immediate enactment of pending legislation to provide adequate compensation for postal employees, enacted by the Nineteenth Session of the Legislative Assembly of the State of Montana, and approved by J. E. Erickson, Governor of said State, on the 19th day of February, 1925.

In testimony whereof, I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 20th day of February, A. D. 1925.

[SEAL]

C. T. STEWART,

Secretary of State.

By CLIFFORD L. WALKER,

Deputy.

House memorial 4 (introduced by Graybill) to the Senate of the United States, urging the immediate enactment of pending legislation to provide adequate compensation for postal employees

To the honorable Senate of the Congress of the United States:

Your memorialists, the members of the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana, respectfully represent:

Whereas 300,000 employees of the Post Office Department of the National Government are now receiving rates of pay insufficient to provide for a proper standard of living, and below the average paid for work of a similar sort in other Government departments, and

Whereas nowhere in any similar branch of the public service, or in similar private employment, is a higher degree of intelligence required, nor is the responsibility as great, the work as important, and the labor as arduous, as among the employees of the Postal Service, and

Whereas efficiency in the Postal Service can not be maintained without the constant addition of new and capable personnel, and

Whereas pay increases during the past nine years have not kept pace with known increase in costs of living, and that good men are not now being attracted into the service at the starting wage of fourteen hundred (\$1,400) dollars per year, and

Whereas employees of the Postal Service are handicapped in the matter of agitating for just increases because they are denied affiliation with powerful labor organizations, and are forbidden to strike to enforce their demands, and

Whereas House bill No. 11444 has just passed the House of Representatives of the Congress of the United States providing for increases in pay for postal employees that will, in great measure, remedy the injustice now being perpetrated upon these faithful servants of the Government and provide equitable compensation for their labors; Therefore be it

Resolved by the members of the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana, That we do hereby memorialize the Senate of the United States to take steps at once to concur in House bill No. 11444, in order that the present session may see this matter fully accomplished and this great wrong righted; and be it further

Resolved, That a copy of this memorial be forwarded immediately by the secretary of state to the President of the United States, to the President of the Senate of the United States, and to our Senators and Representatives in Congress.

CHAS. BRICKER,
Speaker of the House.

I hereby certify that the within memorial originated in the house.
H. J. FAUST, *Chief Clerk.*

This bill was received by the Governor this 18th day of February, 1925.

J. E. ERICKSON,
Governor.
By WILL AIKEN,
Private Secretary.

Approved February 19, 1925.

J. E. ERICKSON, *Governor.*

Mr. WALSH of Montana also presented the following memorial of the House of Representatives of the Legislative Assembly of the State of Montana, which was referred to the Committee on Interstate Commerce:

House memorial 3 (introduced by Mr. Burns) to Congress of the United States, asking it to amend the interstate commerce act so as to protect shippers and livestock in their contracts with carriers

Whereas the interstate commerce act as amended has been construed by the United States Supreme Court to invalidate any contract entered into between a carrier and a shipper for the furnishing of cars to a shipper at a specified time;

Whereas the United States Supreme Court has construed such a contract to be a preference and to constitute a special advantage to a shipper, and therefore invalid; and

Whereas shippers of livestock are now without any remedy for the violation of a carrier of such a contract: Therefore be it

Resolved by the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana, That it is the sense of the house of representatives of this legislature that the Congress of the United States should remedy this situation by the enactment of proper legislation to remedy the same; be it further

Resolved, That a copy of this memorial be forwarded to the Senate and the House of Representatives of the United States and to each of the Senators and Representatives from Montana.

M. C. BRICKER,
Speaker of the House.

Mr. WALSH of Montana also presented the following joint memorial of the Legislative Assembly of the State of Montana, which was referred to the Committee on Agriculture and Forestry:

House joint memorial 3, introduced by Hoffman and Hanson, to the Congress of the United States of America to enact legislation to promote equality for agriculture under the American protective system in the case of those crops of which a normal surplus above domestic requirements is produced

To the honorable Senate and House of Representatives of the United States of America:

Your memorialists, the members of the Nineteenth Legislative Assembly of the State of Montana, the senate and house concurring respectfully represent that:

Whereas the United States has established and maintains by law a system of protection which industry and labor make effective through their organization, and through controlled production and supply; and

Whereas the entire land and agricultural policy of the United States has been aimed to secure maximum agricultural production, with a result that there is produced annually a normal surplus for export of fundamental crops; and it is physically impossible for agriculture to forecast or accurately control production, thus eliminating the surplus above domestic needs; and

Whereas the sale of such normal surplus in the world market establishes the domestic price at world levels, making inoperative tariff schedules intended to protect an American price for that portion of the crop consumed at home; and

Whereas the present improved price of some of the products of the farm is due to world shortages, and does not permanently remove the disparity between the rewards of agriculture and of industry and labor under our protective system; and

Whereas it is vitally important to assure to agriculture, the basic American industry, a fair share of the national wealth by promoting parity for farming with industry and labor; and to prevent recurrence of the disastrous spread between farm and other prices that is fatal to general or permanent national prosperity: Therefore, be it

Resolved, by the legislative assembly, That it urges the enactment by the Congress of the United States, of legislation creating a farmers' export corporation to dispose of the normal surplus of basic farm commodities at the expense of all the producers of such crop, in order that tariff schedules may be made effective in maintaining an American price for agriculture in our own domestic markets; be it further

Resolved, That a copy of this memorial be forwarded to the Senate and House of Representatives of the United States and to each of the Senators and Representatives from Montana in Congress.

M. C. BRICKER,
Speaker of the House.
W. S. McCORMACK,
President of the Senate.

I hereby certify that the within memorial originated in the house.
H. J. FAUST, *Chief Clerk.*

This bill was received by the governor this 13th day of February, 1925.

J. E. ERICKSON, *Governor.*
By WILL AIKEN, *Private Secretary.*

Approved February 13, 1925.

J. E. ERICKSON, *Governor.*

Mr. WALSH of Montana also presented the following joint memorial of the Legislative Assembly of the State of Montana, which was referred to the Committee on Foreign Relations:

House joint memorial 2 (introduced by McCarty) to the Senate of the United States of America in Congress assembled that immediate action be taken leading to the participation of the United States in the Permanent Court of International Justice

To the honorable Senate of the United States of America:

Your memorialists, the members of the Nineteenth Legislative Assembly of the State of Montana, the Senate and House concurring, respectfully represent: That—

Whereas we believe that the participation of the United States in the Permanent Court of International Justice to be the first step toward the outlawry of war and of that fuller and more far-reaching international cooperation which shall end war: Therefore, be it

Resolved (by the legislative assembly), That it unreservedly favors immediate action being taken leading to the participation of the United States of America in the Permanent Court of International Justice, in accordance with the Harding-Hughes plan; and be it further

Resolved, That a copy of this memorial be forwarded to the Senate of the United States and to each of the Senators from Montana in Congress.

M. C. BRICKER,
Speaker of the House.
W. S. McCORMACK,
President of the Senate.

I hereby certify that the within memorial originated in the house.
H. J. FAUST, *Chief Clerk.*

This bill was received by the governor this 13th day of February, 1925.

J. E. ERICKSON, *Governor.*
By WILL AIKEN, *Private Secretary.*

Approved February 13, 1925.

J. E. ERICKSON, *Governor.*

Mr. BORAH presented the following joint memorial of the Legislature of the State of Idaho, which was referred to the Committee on Agriculture and Forestry:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, F. A. Jeter, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 7, by McBirney and Magleby, adopted by the Eighteenth Session of the Idaho Legislature, which was filed in this office on the 19th day of February, A. D. 1925, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 20th day of February, in the year of our Lord 1925, and of the Independence of the United States of America the one hundred and forty-ninth.

[SEAL]

F. A. JETER,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

Joint memorial 7 (by McBirney and Magleby) to the Senate and House of Representatives of the United States of America and to the Senators and Representatives from the State of Idaho in Congress assembled

Your memorialists, the Legislature of the State of Idaho, respectfully represent that—

Whereas under existing laws producers of horticultural and agricultural products have no adequate remedy to protect them against breach of confidence or contract committed by commission merchants and brokers engaged in buying and selling such products, handled or to be handled in interstate commerce: Now therefore be it

Resolved, That we, your memorialists, respectfully request and recommend that Congress enact a law requiring commission merchants and brokers engaged in buying and selling horticultural and agricultural products, handled or to be handled in interstate commerce, to procure a license and give a bond for the faithful discharge of their duties and for the faithful performance of their contracts as such commission merchants and brokers, said license to be subject to cancellation for any willful breach of trust by such commission merchant or broker, and said bond to be so conditioned as to protect the producers and consignors of such products in the event of breach of his trust by the commission merchant or broker.

SEC. 2. The secretary of state is hereby instructed to forward copies of this memorial to the Senate and House of Representatives of the United States, and to the Senators and Representatives from Idaho.

This memorial passed the house on the 12th day of February, 1925.

W. D. GILLIS,

Speaker of the House of Representatives.

This memorial passed the senate on the 17th day of February, 1925.

H. C. BALDRIDGE,

President of the Senate.

I hereby certify that the within house joint memorial No. 7 originated in the House of Representatives during the Eighteenth Session of the Legislature of the State of Idaho.

C. A. BOTTOLFSEN,

Chief Clerk of the House of Representatives.

Mr. BORAH also presented the following joint memorial of the Legislature of the State of Idaho, which was referred to the Committee on Irrigation and Reclamation:

STATE OF IDAHO,

DEPARTMENT OF STATE.

I, F. A. Jeter, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 4, by Richmond, adopted by the Eighteenth Session of the Legislature of the State of Idaho, which was filed in this office on the 13th day of February, A. D. 1925, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the Capital of Idaho, this 14th day of February, in the year of our Lord 1925 and of the independence of the United States of America the one hundred and forty-ninth.

[SEAL.]

F. A. JETER, *Secretary of State.*

LEGISLATURE OF THE STATE OF IDAHO,

EIGHTEENTH SESSION.

Senate joint memorial 4 (by Richmond)

To the Hon. William E. Borah, the Hon. Frank R. Gooding, United States Senators from the State of Idaho, and the Hon. Addison T. Smith, the Hon. Burton L. French, Members of Congress from the State of Idaho:

We, your memorialists, the Senate and House of Representatives of the State of Idaho, in regular session assembled, respectfully represent that—

Whereas it is of utmost importance to the people of the entire Nation that the tremendous water power potentially existing in Idaho streams should be developed by the installation of hydroelectric plants; and

Whereas money has been heretofore appropriated by the State of Oregon for the investigation of hydroelectric possibilities at the Umatilla Rapids in the Columbia River, and the Congress of the United States has likewise made appropriations for like investigations; and

Whereas the Reclamation Service of the United States is just now concluding an extensive investigation of the proposed hydroelectric development at Umatilla Rapids and the possibility of extensive reclamation of arid lands in the vicinity of said rapids, and by such investigation has found the installation of hydroelectric works to be entirely feasible from an engineering standpoint; and

Whereas the development of a reclamation and hydroelectric project at the said point will provide cheap power for the people and industry of the State of Oregon, as well as those of Washington and Idaho, and will mean the reclamation of a vast territory of potentially fertile and

valuable land, affording homes and employment for a large number of people, and will, by reason of impounding works, flood the present rapids and remove one of the greatest obstructions to the navigation of the Columbia River; and

Whereas the industry and prosperity of the three Northwest States above named will be tremendously increased and the whole Nation will be benefited by such development, and there is no way to procure the same save by the aid of the United States Government: Therefore be it

Resolved by the senate (the house of representatives concurring), That the Senators and Members of Congress from the State of Idaho be, and they are hereby, memorialized to make the greatest possible effort to secure Federal recognition of the said Umatilla Rapids project and to bring about the early development of the same, and that they at all times lay stress upon the importance of the said project to the entire Nation, and that the said Senators and Members of Congress shall unite, so far as they may deem advisable, with the Senators and Members of Congress from the bordering States of Washington and Oregon to the end that joint action may be had in behalf of the early construction of the said project; be it further

Resolved, That the secretary of state be, and he is hereby, directed to transmit by mail a copy of this memorial to the above-named Senators and Members of Congress.

This senate joint memorial passed the senate on the 4th day of February, 1925.

H. C. BALDRIDGE,

President of the Senate.

This senate joint memorial passed the house of representatives on the 10th day of February, 1925.

W. D. GILLIS,

Speaker of the House of Representatives.

I hereby certify that the within senate joint memorial No. 4 originated in the Senate during the Eighteenth Session of the Legislature of the State of Idaho.

A. L. FLETCHER,

Secretary of the Senate.

Mr. NORBECK. Mr. President, I submit herewith copies of two resolutions passed by the South Dakota State Legislature, now in session, which I ask be printed in the RECORD and referred to the appropriate committees of the Senate.

The resolutions were referred as follows:

To the Committee on Commerce:

Senate concurrent resolution. (Introduced by Mr. Amsden)

Whereas information has reached the Legislature of the State of South Dakota that an excessive amount of water is being diverted from the Great Lakes through the sanitary drainage canal of the city of Chicago and far in excess of the needs for a proper disposal of sewage of such city, which is reported to be fast diminishing the stage of water in the Great Lakes and which may lower the stage of water sufficiently to interfere with the feasibility of a Great Lakes waterway, in which the State of South Dakota is much interested: Therefore be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That the Representatives in Congress from South Dakota take cognizance of the facts as above stated, if such facts are true, and to use their best efforts to correct the abuse of such privilege that the interest of the State of South Dakota and the great agricultural Northwest may be conserved; be it further

Resolved, That copies of this resolution be prepared by the secretary of the senate and mailed to each Member of Congress from South Dakota and to the chief clerk of the Senate and chief clerk of the Assembly of the State of Wisconsin, and that a copy be filed with the Governor of this State.

A. C. FORNEY,

President of the Senate.

W. J. MATSON,

Secretary of the Senate.

CHAS. S. McDONALD,

Speaker of the House.

WRIGHT TARBELL,

Chief Clerk of the House.

To the Committee on Interstate Commerce:

A concurrent resolution

Whereas it is impossible to identify virgin wool from shoddy and other wool content after the same is woven into fabric; and

Whereas unregulated trade names and general descriptive terms used in designating woolen goods cause misunderstanding leading to grave financial loss, both to the producer of wool and the consumer of woolen goods; and

Whereas proper labeling of woolen fabric could be regulated and supervised at the time of manufacture without entailing undue expense or trouble to the manufacturer or to the Government for administration; and

Whereas the enactment of an adequate truth in fabric act by the Congress of the United States would be fair and just to the producer of wool, to the manufacturer, distributor, and to the consumer of woolen goods: Therefore be it

Resolved by the House of Representatives of the State of South Dakota (the Senate concurring), That the Congress of the United States be, and it is hereby, respectfully memorialized, requested, and urged to enact adequate truth-in-fabric legislation at the earliest possible moment, requiring the labeling at the time of manufacture of fabrics woven from wool in plain, unambiguous, and clearly defined terms, showing the nature and percentages of woolen content.

That the chief clerk of the House of Representatives of the State of South Dakota be, and he is hereby, instructed and directed to transmit copies of this concurrent resolution to the Secretary of the Senate of the United States, to the Chief Clerk of the House of Representatives of the United States, to the chairman of the Committee on Interstate Commerce of the Senate of the United States, to the chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives of the United States, and to each United States Senator and Congressman from the State of South Dakota.

CHAS. S. McDONALD,
Speaker of the House.

Attest:

WRIGHT TARBELL, Chief Clerk.

A. C. FORNEY,
President of the Senate.

Attest:

W. J. MATSON,
Secretary of the Senate.

Mr. FERRIS presented memorials of sundry citizens of St. Charles, Cadillac, Hesperia, Grand Ledge, and Berrien Springs, all in the State of Michigan, remonstrating against the passage of the so-called compulsory Sunday observance bill for the District, which were referred to the Committee on the District of Columbia.

He also presented resolutions of General Nelson A. Miles Camp, No. 1, United Spanish War Veterans, Department of the District of Columbia, of Washington, D. C., favoring the passage of the so-called Bursum bill, being Senate bill 3314, granting increased pensions to veterans of the Civil, Mexican, Indian, and Spanish Wars and their widows, and certain maimed soldiers, etc., which were referred to the Committee on Pensions.

He also presented the petitions, signed by sundry members of the Young Women's Christian Association of Lansing, and of sundry citizens of Mount Pleasant, Mich., praying for the immediate entrance of the United States into the World Court under the terms of the so-called Harding-Hughes plan, which were referred to the Committee on Foreign Relations.

Mr. MEANS presented a petition of sundry citizens of Denver and vicinity, in the State of Colorado, praying for the passage of Senate bill 56, for the allowance of certain claims for indemnity for spoliation by the French prior to July 31, 1801, as reported by the Court of Claims, which was referred to the Committee on Claims.

Mr. WILLIS presented a petition signed by sundry members and friends of the Simpson Methodist Episcopal Church, of Cleveland, Ohio, praying for the passage of the so-called Cramton bill, being House bill 6645, to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, and to define its powers and duties, etc., which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. MEANS, from the Committee on the Judiciary, to which was referred the bill (H. R. 1468) to increase the salary of the warden of the United States penitentiary at McNeil Island, Wash., reported it without amendment and submitted a report (No. 1220) thereon.

Mr. GERRY, from the Committee on Naval Affairs, to which was referred the bill (H. R. 1446) for the relief of Charles W. Gibson, alias Charles J. McGibb, reported it with an amendment and submitted a report (No. 1221) thereon.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 3144) for the relief of Delaware River Towing Line, reported it without amendment and submitted a report (No. 1222) thereon.

Mr. JOHNSON of Minnesota, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 745) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes, reported it without amendment.

He also, from the Committee on Claims, to which was referred the bill (H. R. 1569) for the relief of Andrew A. Gierlet, reported it without amendment and submitted a report (No. 1223) thereon.

Mr. WALSH of Montana, from the Committee on the Judiciary, to which was referred the bill (H. R. 5295) to authorize the appointment of stenographers in the courts of the United States and to fix their duties and compensation, reported it without amendment.

COTTON FUTURES CONTRACTS

Mr. SMITH. Mr. President, I have here several communications practically in the form of petitions. It is sufficient for me to call attention to the character of them. It is alleged that the New York Cotton Exchange is holding cotton stocks which cotton does not come up to the standard required by the cotton futures act. I have, among others, a letter from a party in New Orleans. This correspondent of mine in New Orleans says that "although the New Orleans contract market is actually higher in New York there are thousands of bales of cotton being shipped from here every week to New York to depress the contract market." He claims that the staple of this cotton is not as long as that required under the cotton futures act, that it is shy of the necessary length, and that other qualities make it nontenderable. I have also a letter from the president of the American Cotton Association alleging that there are perhaps 150,000 bales of specified cotton in the warehouses to be tendered on, perhaps, March contracts which are of such character that the mills and the purchasing public do not care to stop the contracts and take up the cotton.

Under the law the Agricultural Department is charged with examining this cotton, sampling and stabilizing it, and thereby protecting the purchaser of contracts from the delivery of such cotton as does not come under the regulations of the law.

I have asked the Agricultural Department about this stock of cotton, which is alleged from three very reputable sources to be not such cotton as the law contemplated should be delivered. I want to take this occasion to call the attention of the holders of March contracts to the facts stated, to ask them to take up the cotton, and after taking it up notify me or the Agricultural Department and have them then grade and sample cotton so as to prove whether or not these allegations are true.

The cotton futures act was passed because it was shown by Mr. Herbert Knox Smith, the agent of the department, that there was a practice of taking undesirable cotton and putting it into warehouses and tendering it on contracts. We have amended that law so as to provide that only certain grades may be tendered, all of which can be spun readily by the mills of the country, and if there be any infraction of that law it will necessarily bring about the very condition to prevent which the cotton futures act was passed.

Mr. President, I am going to ask the privilege of having certain letters which I hold in my hand, or a part of them, which I shall indicate, printed in the Record, so that the public may be notified that these March contracts which they have taken up will be sampled by the Agricultural Department in order to ascertain the truth.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

NEW ORLEANS, LA., February 19, 1925.

Hon. Senator E. D. SMITH,

Washington, D. C.

DEAR SIR: Knowing that you have the interest of the cotton growers at heart, I am writing to call your attention to the gross manipulation going on in the New York future market, which is costing the South millions of dollars.

Although the New Orleans contract market is actually higher than in New York, there are thousands of bales of cotton being shipped from here every week to New York to depress the contract market there.

This cotton is all shorter in staple than the New Orleans or New York contract calls for, and how it gets by the Government classers, I will leave to you.

The most of this cotton being shipped from here has been gone over by local classers as passed on as $\frac{3}{8}$ -inch cotton, while the Government classers have allowed it go as $\frac{5}{8}$ -inch cotton, which is minimum contract length.

This short-staple cotton is not wanted by the mills, which is why the March contract in New York is selling to-day lower than the price of spot cotton is quoted in the South. Some of the largest spot firms have kept an enormous stock of this short cotton in New York all season at great expense in order to keep the contract market depressed, so as to buy the farmers' cotton in the South at a low price.

This manipulation in the New York market has undoubtedly cost the farmers hundreds of millions of dollars this season.

I suggest that prompt steps be taken to investigate this matter and have the New York stock reclassified. If this is done, most of this cotton will be found to be short of contract length. As the matter stands now, all of these shippers know about this New York stock being punk stock and nobody will take it up on contract.

This is a matter most vital to the interest of the cotton growers, and I know you will be glad to have your attention called to it.

NEW YORK, N. Y., February 22, 1925.

Hon. E. D. SMITH,
Washington, D. C.

DEAR SENATOR: I find on my arrival here that the tremendous stock of cotton, which has been and is being maintained here by a few big spot houses, and its effect on the cotton market is the chief topic of discussion.

Southern cotton men who are here criticize this large accumulation of cotton freely in private conversation because they consider it a great weight on the market and believe it is depressing values for the near-by deliveries as quoted on the New York Cotton Exchange 75 to 100 points under what they should be.

This is not a temporary condition, but has existed for months.

The New York Times in its review of the cotton market February 22, 1925, says there are now 224,000 bales of cotton here, of which 194,000 has been certificated by Government inspectors. The bulk of this cotton has been here since October, it says, and it further asserts that it is costing the owners \$250,000 per month to keep it here.

I hear much talk to the effect that this cotton, while mostly grading middling and above, is mostly so short in staple, being barely seven-eighths of an inch, that domestic mills do not want. It consists largely of the cheapest and least desirable grades which could be bought in the South, and is apparently being kept here solely for the purpose of depressing March contracts so as to enable its owners to buy other spot cotton in the South cheaper and to manipulate the future market.

The article in the New York Times gives voice to some of the unfavorable comments which are in circulation, but not to all of them.

As nearly all purchases of spot cotton in the South are based on March quotations in New York it is obvious that by depressing that month artificially the spot houses who do so are able to buy spot cotton in the South \$5 to \$10 per bale less than they could if these quotations were maintained on a normal parity with southern markets.

I am reliably informed that the spot houses, who are maintaining large stocks of cotton here, have bought several hundred thousand bales of spot cotton in the South at a heavy discount during the past few months based on March quotations in New York.

The expectation is that the bulk of this 224,000 bales of cotton will be tendered on March contracts here either on February 24 or later in the month.

It has been stated in the New York papers recently that the short interest in March contracts aggregated 1,000,000 bales at one time, and that most of these contracts were sold by spot houses who own the stock here. In other words, the owners of this stock sold four to five bales of futures for each bale of spots that they kept here.

A large part of the March short interest has recently been transferred to May and a repetition of what occurred in March can be expected in May contracts unless something is done in the meantime to bring future quotations here up to a parity with spot quotations in the South.

The demand for spot cotton in the South from all over the world has been so persistent and heavy of late that the basis has risen at all southern markets despite depressed quotations for March contracts here. Official quotations issued Saturday show that many points in the South received 25 to 70 points above March closing prices in New York for middling cotton.

Such a spot demand as this and high basis under ordinary conditions has a stimulating effect and uplifting influence on futures. This year, however, this very large demand for spots has not affected futures at all, to the surprise of everyone in the business.

Middling cotton was quoted Saturday at 25 cents per pound in Houston, Tex., the headquarters of the spot house which is credited with owning the bulk of the stock here. Middling was quoted in New York at 24.50 and March contracts closed at 24.26-24.28. At the same time Galveston, Tex., quoted middling at 24.95, Dallas and Savannah 24.50, Augusta and Memphis 24.25, and New Orleans, 24.55.

The following telegrams from one of the largest spot houses in the eastern belt illustrates what I have outlined above:

(First wire)

"Spots in big demand from all sections. Basis firm and higher; little offering. Price of March, New York, is being paid for middling in the South."

(Second wire)

"Spot situation in South very bullish. Heavy spot demand from Europe and eastern and southern mills. Spots in South selling at price of March, New York, for middling ordinary staple. One-inch staple bringing 1 cent premium. March New York contracts are five to six dollars below what they can be replaced in South."

The understanding in the trade is that the Smith-Lever bill, of which you were one of the authors, was drawn and passed by Congress for the purpose of preventing the accumulation of undesirable grades of cotton in New York for the purpose of tendering on contracts from month to month because of the depressing effect on prices of such practice, and that it was made the duty of the Secretary of Agriculture to see to it that this practice, which was discontinued for a long time after the passage of this bill, was not renewed.

It seems to me, therefore, that you can start something which will in the end prove very beneficial to the producers and holders of cotton in your State as well as in other States if you will call upon the Secretary of Agriculture for an explanation of his inactivity in this matter and if you will insist that he demand an explanation of the great differences existing between quotations for March cotton and spots prices in the South.

I can find no reason for this discrepancy except the pressure from the big stock of undesirable cotton which is maintained here.

I believe publicity will prove a very helpful influence in getting the information which you may seek and in checking the abuses outlined above.

Respectfully,

FORT M'HENRY, MD.

Mr. BRUCE. Mr. President, if there is no objection, I should like to have a bill taken up and considered at this time. I have never since I have been a Member of this body asked that a bill be taken up out of its regular order. I can not conceive that there will be any objection to it, and I think it will lead to no discussion. I refer to House bill 5261, to make Fort McHenry, where the British failed in their attack on Baltimore in the War of 1812, a national monument. The bill involves no appropriation at all. It has been passed by the House of Representatives and favorably reported by the Senate Committee on Military Affairs. If there be no objection, I should like to have the bill considered and passed at this time.

Mr. MOSES. Mr. President, I have no intention of being discourteous to the Senator from Maryland, but this is the first morning hour we have had for several days past. There is a great deal of routine morning business to be disposed of. When that shall have been ended and the calendar reached, the Senator from Maryland can renew his request or he can even make a motion for that purpose. I must insist upon the regular order.

Mr. BRUCE. I will say to the Senator from New Hampshire that there can be no conceivable objection to the bill for which I ask consideration. It will only take two or three minutes to consider and pass it.

Mr. MOSES. That is not the question, I will say to the Senator from Maryland. The fact is we have had no morning hour now for several days, and there is much routine morning business which I think should be disposed of. I must insist upon the regular order.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from Maryland.

ELIMINATION OF THE FLEXIBLE TARIFF

Mr. WALSH of Massachusetts. Mr. President, in the American Economist of February 13, 1925, is an article advocating the elimination of the flexible tariff. In view of the fact that the American Economist has been a staunch supporter of the high-protection theory of the Republican Party its position favoring the elimination of the flexible tariff is of special importance. The opposition to the flexible provisions of the last tariff bill appears to be almost unanimous. I ask that the article may be treated as being in the nature of a petition, referred to the Committee on Finance, and printed in the Record.

There being no objection, the article was referred to the Committee on Finance and ordered to be printed in the Record, as follows:

ELIMINATE THE FLEXIBLE TARIFF

The American Economist has never favored the so-called "flexible" provisions of the tariff act of 1922. We do not believe that the protectionist majority in the Congress which passed it were in favor of it. Chairman GREEN of the Ways and Means Committee, in a recent interview, pointed out the fact that the said provisions were never before the Ways and Means Committee, but were interpolated into the Fordney-McCumber bill by a Senate amendment. The conference committee of the two Houses accepted the amendment, and it became a part of the tariff act as a matter of compromise.

Chairman GREEN is outspoken in his opposition to the flexible provisions, as is made clear in different interviews which he has given out. We believe that many of those who originally favored the provisions have experienced a change of heart and now see that they should be eliminated.

There is no avoiding the fact that it was a mistake to try to enact an original tariff law at the time the present one was enacted. Conditions in other countries were in too chaotic a state, not to mention unsettled conditions in this country, to permit of sufficient information upon which to base a wholly consistent tariff act. That was why it was possible to secure the interpolation of the flexible tariff provisions into the bill. How much better if Congress had reenacted the Payne-Aldrich or the Dingley tariff as an emergency measure and wait for affairs to become more nearly settled. That was the proposition advocated by the American Protective Tariff League and favored by many of the most prominent Members of Congress. It is not necessary to discuss the reasons why that plan was not finally adopted.

But it is evident that the time has come to do away with the flexible tariff. If it had any good reason for existence at the time it was adopted, those reasons have now ceased to exist. The Constitution provides that Congress shall provide for the raising of revenue and that all bills for that purpose shall originate in the lower House. There is no provision in the Constitution for the delegation of this power. But we need not consider this phase of the subject at the present time, for the unsettled foreign conditions which existed in 1921 and 1922 have been clarified to a large extent. At least we now know what competition we must meet from Germany and the other countries of central Europe, and it is a foregone conclusion that the tariff will be revised by Congress during the life of the present administration. Hence there is no need to keep business unsettled by continuing the very flexible provisions as a part of our tariff law.

One thing has become very clear to all, namely, that the claim made by the proponents of the flexible tariff that rates of duty could be expeditiously revised under its provisions has no basis in fact. As investigations must be made both in this country and abroad in order to carry out the provisions as written in the law, it is obvious that they can not be expeditiously conducted. It has been found, too, that foreign nations resent the demands made by representatives of the Tariff Commission for access to the books of foreign producers in order that production costs may be ascertained for the benefit of American competitors, for that is what it amounts to in the final analysis. All other considerations aside, it looks a great deal like forcing a witness to convict himself, a thing which is prohibited by our laws.

We believe that every friend of business stability, of protection to American industries, and the highest degree of American prosperity will favor the abolition of the flexible provisions, thus leaving to Congress the sole power, as it is its duty under the Constitution, to revise our tariff laws and strengthen the weak spots.

ISABELL EASE

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably and without amendment the resolution (S. Res. 279) submitted by Mr. CURTIS on December 8, 1924, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay out of the contingent fund of the Senate to Isabella Ease, widow of William Ease, late an employee on the maintenance roll, Senate Office Building, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

SARAH BLACKFORD

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably and without amendment the resolution (S. Res. 299) submitted by Mr. CURTIS on January 15, 1925, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay out of the contingent fund of the Senate to Sarah Blackford, widow of Charlie Blackford, late an employee on the maintenance roll, Senate Office Building, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, and said sum to be considered as including funeral expenses and all other allowances.

MARGARET W. GILFRY

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably and without amendment the resolution (S. Res. 334), submitted by Mr. McNARY February 9, 1925, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay out of the contingent fund of the Senate to

Margaret W. Gilfry, widow of Henry H. Gilfry, late a clerk in the office of the Secretary of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

HEARINGS BEFORE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. KEYES. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably with an amendment Senate Resolution 335, authorizing the Committee on Public Buildings and Grounds to hold hearings. I ask unanimous consent for the immediate consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution (S. Res. 335) which had been submitted by Mr. FERNALD on the 10th instant.

The amendment was, on page 1, line 3, after the word "Sixty-eighth," to strike out the words "and Sixty-ninth Congresses" and to insert the word "Congress," so as to make the resolution read:

Resolved, That the Committee on Public Buildings and Grounds or any subcommittee thereof be, and is hereby, authorized during the Sixty-eighth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per 100 words to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee or any subcommittee thereof may sit during the sessions, recesses, or adjourned intervals of the Senate.

The amendment was agreed to.

The resolution, as amended, was agreed to.

HEARINGS BEFORE MILITARY AFFAIRS COMMITTEES

Mr. KEYES. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably with an amendment Senate Concurrent Resolution 30. I ask unanimous consent for the present consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution (S. Con. Res. 30) which had been submitted by Mr. WADSWORTH on the 18th instant.

The amendment was, on page 1, line 11, after the word "clerical," to strike out the words "or others," so as to make the resolution read:

Resolved, etc., That the Committees on Military Affairs of the Senate of the United States and the House of Representatives, or subcommittees thereof, be, and hereby are, authorized to sit jointly during the sessions or adjourned intervals of the Sixty-eighth and Sixty-ninth Congresses, at such times and places as may seem advisable to the said committees or their subcommittees; to make investigations of the condition of Army posts and forts and other properties maintained for the military arm of the Government; to employ such clerical assistance as may be required in the judgment of said committees, to send for persons, books, and papers, to administer oaths and to employ a stenographer or stenographers at a cost of not to exceed 25 cents per hundred words to report such hearings as may be had in furtherance of the purposes hereof; the expenses thereof to be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers certified to by the chairmen of the said committees or of their subcommittees and properly approved.

The amendment was agreed to.

The resolution as amended was agreed to.

INVESTIGATION OF THE BUREAU OF INTERNAL REVENUE

Mr. KEYES. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, with an amendment, Senate Resolution 333, submitted by the Senator from Michigan [Mr. COZZENS] on February 9, 1925, to extend the authority of the select committee of the Senate investigating the Bureau of Internal Revenue affairs.

The PRESIDENT pro tempore. The resolution will be read. The resolution (S. Res. 333) was read, as follows:

Whereas the select committee of the Senate appointed under authority of Senate Resolutions 168 and 211 of the Sixty-eighth Congress to investigate the Bureau of Internal Revenue was instructed to report its findings; and

Whereas the committee has not completed a thorough inquiry and will be unable to do so before March 4, 1925: Be it

Resolved, That the select committee of the Senate authorized in Senate Resolutions 168 and 211 of the Sixty-eighth Congress to investigate the Bureau of Internal Revenue and appointed under these resolutions is hereby authorized and directed to continue its work after

March 4, 1925, and, if deemed advisable by the committee, to sit and hold hearings in the interim between the adjournment of the Sixty-eighth Congress and the convening of the first regular session of the Sixty-ninth Congress, and that all authority granted in Senate Resolutions 168 and 211 of the Sixty-eighth Congress shall be and is continued under this resolution.

The PRESIDENT pro tempore. Is there objection?

Mr. MOSES. Mr. President, do I understand request was made for the immediate consideration of the resolution?

Mr. KEYES. I did not ask for its immediate consideration, Mr. President.

Mr. MOSES. The chairman of the committee did not ask that the resolution be now considered.

The PRESIDENT pro tempore. Is there objection?

Mr. MOSES. Mr. President, at the moment I am constrained to object because of the absence of two Senators who have spoken to me about the matter, both Senators being unable to be here earlier to-day.

Mr. ROBINSON. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will go to the calendar.

Mr. NORRIS. Mr. President, may not the resolution lie on the table without prejudice? The Senator from Michigan [Mr. COUZENS] is not now present.

Mr. MOSES. I have no objection to that course.

Mr. SMOOT. I hope the request of the Senator from Nebraska will be granted.

Mr. NORRIS. I ask that the resolution lie on the table without prejudice.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the resolution will lie on the table.

JOINT COMMISSION OF INQUIRY ON COTTON STATISTICS

Mr. KEYES. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably the joint resolution (S. J. Res. 183) establishing a joint congressional commission to make an examination and audit of cotton statistics in the Bureau of the Census, and for other purposes. The committee has recommended a change in form to a concurrent resolution and has reported, therefore, a new draft with some amendments to the original text, which I understand are satisfactory to the Senator from South Carolina [Mr. SMITH], who introduced the original joint resolution.

Mr. SMITH. Mr. President, the resolution involves a matter of very vital importance and should be adopted at this session. I ask unanimous consent for its immediate consideration.

Mr. MOSES. Before granting that consent I should like to have the resolution read, because I am interested in the amendments.

Mr. SMITH. The amendments are in accordance with suggestions which have been made.

The PRESIDENT pro tempore. The Secretary will read the joint resolution as amended before the question is put as to its consideration.

The READING CLERK. In lieu of Senate Joint Resolution 183 the Committee to Audit and Control the Contingent Expenses of the Senate report a concurrent resolution (S. Con. Res. 36), as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint congressional commission to be known as the Joint Commission of Inquiry on Cotton Statistics, and to be composed of three Senators, appointed by the President of the Senate pro tempore, and three Members elect of the House of Representatives for the Sixty-ninth Congress, appointed by the Speaker. The commission is authorized and directed (1) to make a complete examination and audit of cotton statistics in the Bureau of the Census, showing the carry over, the production, the consumption and distribution each year, and the correct amount of cotton now on hand, and (2) to make a report to the Congress as to its findings, together with recommendations for legislation, if any be thought necessary. The commission shall elect a chairman from among its members, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

For the purposes of this resolution, the commission, or any subcommittee thereof, is authorized to hold hearings and to sit and act at such places and times, to employ such experts and clerical, stenographic, and other assistants, to require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents in the custody of any Federal official, to administer such oaths, and to take such testimony as it deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. It shall be the duty of any governmental establishment, upon request by the commission, to cooperate with and render assistance to the commission in carrying out the provisions of this resolution. The expenses of the commission shall

be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers properly approved.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent for the immediate consideration of the resolution. Is there objection?

Mr. ASHURST. Mr. President, the last thing I shall do is to object to the resolution which my friend the senior Senator from South Carolina [Mr. SMITH] desires to have adopted. No doubt the resolution is worthy and ought to be agreed to, but I embrace this opportunity to propound an inquiry to the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate. I observe that a meeting of that committee has been held, and I now ask the honorable chairman of the committee why the committee have not reported the resolution submitted by the Senator from Oregon [Mr. McNARY] providing for the appointment of a subcommittee of the Committee on Irrigation and Reclamation to visit the Southwest to investigate certain problems and to obtain certain information which we of the Southwest deem important regarding the Colorado River? I am not content to see other resolutions singled out and adopted and then to observe this particular resolution being ignored.

Mr. KEYES. There is no particular reason why the committee has not acted, except that the committee has not been together to consider the matter and has had very little information in regard to it.

Mr. ASHURST. How could the committee have reported the various other resolutions just agreed to if it had not been together? Surely the committee did not report those resolutions without a meeting?

Mr. KEYES. We have not been able to get the committee together to consider the resolution to which the Senator from Arizona refers.

Mr. ASHURST. But the Senator was able to get the committee together to consider other resolutions.

Mr. KEYES. I can assure the Senator that the committee still has a number of resolutions pending before it. I hope the committee will act promptly on the resolution in which the Senator from Arizona is interested, and I know of no opposition to it.

Mr. ASHURST. I am not the author of the resolution concerning which I am inquiring. The Senator from Oregon [Mr. McNARY], who is able to take care of himself anywhere, is the author of the resolution; but I submit that every Senator from the Southwest would be recreant to his trust if he sat here and permitted a large number of resolutions of this character to go through whilst the resolution which probably is one of the most important of all, is pigeonholed.

I do not intend that that shall occur with my silence. It shall only be done over my protest; and I beg the able and diligent Senator from New Hampshire to reconvene his committee, and if he should then say he does not know the importance of the resolution there are many Senators who will convince his committee as to its importance.

Mr. JOHNSON of California. Mr. President—

The PRESIDENT pro tempore. The Chair is obliged to say that in view of the condition of the public business he can not entertain debate upon a request for unanimous consent.

Mr. JOHNSON of California. I simply want to make an inquiry of the chairman of the committee. I agree with what has been said by the Senator from Arizona. This is a most important matter to those of us from the West. Is there any opposition to the particular resolution?

Mr. KEYES. None that I know of.

Mr. JOHNSON of California. It has been before the committee, has it not, for some three or four weeks now?

Mr. KEYES. I had hoped that some one interested in the resolution would ask to come before the committee. We shall be glad to hear anybody who is interested in it.

Mr. JOHNSON of California. I had understood that the Senator from Oregon had taken up the matter with the chairman of the committee on many occasions.

Mr. KEYES. I do not recall that he has on many occasions. I think he has spoken to me twice and said something about the resolution.

Mr. JOHNSON of California. May we ask that there be action upon it at the earliest possible moment?

Mr. KEYES. Certainly; I shall be very glad to act upon it.

The PRESIDENT pro tempore. Is there objection?

Mr. SHORTRIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator rise to debate the question of whether consent shall be granted?

Mr. SHORTRIDGE. No; not to debate it. If the Chair will indulge me just a word, I have spoken to a number of the

members of the committee, and I have assurance that the resolution introduced by the Senator from Oregon will be reported favorably.

Mr. BORAH. Mr. President, may I ask the Senator a question? Is there any estimate of what this investigation will cost?

Mr. SMITH. The matter has been referred to the Committee to Audit and Control the Contingent Expenses of the Senate. The fact is, I think, that the cost will be very small. It is restricted to an investigation of the papers in the hands of the Federal authorities here, and under the resolution they are required to cooperate with the committee.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution? The Chair hears none.

The concurrent resolution was considered by unanimous consent, and agreed to.

MECKLENBURG SESQUICENTENNIAL COMMISSION

Mr. OVERMAN. Mr. President, on behalf of the Senator from Pennsylvania [Mr. PEPPER], I report back favorably, from the Committee on the Library, without amendment Senate bill 4361, establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the patriotic action taken by the people of Mecklenburg County of North Carolina in May, 1775, in declaring their independence of the English Crown. I should like very much to have unanimous consent for the consideration and passage of this bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill just reported by the Senator from North Carolina?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That there is hereby established a commission to be known as the United States Mecklenburg Sesquicentennial Commission (hereinafter referred to as the commission) and to be composed of 11 commissioners, as follows: Three persons to be appointed by the President of the United States, four Senators by the President of the Senate, and four Members of the House of Representatives to be appointed by the Speaker. The commission shall serve without compensation and shall select a chairman from among their number.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to be expended by the commission for actual and necessary traveling expenses and subsistence while discharging its official duties outside the District of Columbia.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to be utilized in the discretion of the commission for the appropriate participation on the part of the United States in the celebration and observance at the city of Charlotte, county of Mecklenburg, N. C., on the 18th, 19th, 20th, 21st, and 22d days of May, 1925, of the one hundred and fiftieth anniversary of the patriotic action of the citizens of Mecklenburg County, N. C., in May, 1775, in declaring their independence of the English Crown.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRESIDIO MILITARY RESERVATION, SAN FRANCISCO

Mr. PEPPER. From the Committee on the Library I report back favorably, without amendment, Senate bill 4264, authorizing the Secretary of War to convey certain portions of the military reservation of the Presidio of San Francisco to the city and county of San Francisco for educational, art, exposition, and park purposes, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the bill just reported by the Senator from Pennsylvania? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to convey to the city and county of San Francisco, subject to the conditions hereinafter specified, for educational, art, exposition, and park purposes, that portion of the military reservation of the Presidio of San Francisco in the city and county of San Francisco, State of California, on which the Palace of Fine Arts is located, included within metes and bounds as follows:

Commencing at a point on the westerly line of Lyon Street, distant thereon 5.17 feet southerly from the northerly line of Bay Street, if extended and produced westerly, and running thence northerly along the westerly line of Lyon Street 1,196.80 feet; thence southwesterly

on a curve to the left of 612 feet radius, central angle 155° 47' 50", tangent to a line deflected 102° 6' 5" to the left from the preceding course a distance of 1,664.13 feet to the westerly line of Lyon Street and the point of commencement, containing 9.93 acres, more or less: *Provided, however,* in the event of war or any other great national emergency, the United States shall have the right, which it hereby reserves, to take exclusive possession of said land and all improvements thereon, without the payment of any compensation therefor, and to hold, occupy, and use the same during the continuance of such war or emergency.

Said grant shall become effective only in the event that the city and county of San Francisco shall grant to the United States the right to maintain and operate over its public streets a spur track railroad extending from Fort Mason Military Reservation in the city and county of San Francisco to said Presidio Reservation, over such route or routes as may be determined by resolution or ordinance of the board of supervisors of said city and county and approved by the Secretary of War. If, before the 1st day of July, 1927, the city and county of San Francisco shall fail to grant by valid ordinance to the United States the right to maintain and operate said spur track, this grant shall become null and void, and title to said premises shall revert to the United States: *Provided, however,* That in any event until the 1st day of July, 1927, said city and county of San Francisco may use, occupy, and retain possession of said Palace of Fine Arts and the ground upon which it is located.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROPOSED STATE TAX ON COTTONSEED OIL PRODUCTS

Mr. HEFLIN. Mr. President, a day or two ago I introduced a resolution regarding the proposed legislation in some of the States touching commerce between the States.

The PRESIDENT pro tempore. The Chair may suggest to the Senator from Alabama that at the conclusion of the routine morning business the resolution to which he refers will be laid before the Senate. The Senate is now receiving reports of committees. If there are no further reports of committees, the introduction of bills and joint resolutions is in order.

Mr. HEFLIN. I was simply going to state that I have rewritten the resolution. It has been modified, and I think now there will be no objection to it.

Mr. MOSES. Let it come up in the regular order, Mr. President.

The PRESIDENT pro tempore. The Senator from New Hampshire demands the regular order.

Mr. MOSES. The Senator's resolution will be reached in a very few minutes under the regular order.

Mr. HEFLIN. Very well.

AIR MAIL SERVICE BETWEEN NEW ORLEANS AND PANAMA CANAL ZONE

Mr. RANDELL. Mr. President, I introduce a bill to establish an air mail service between the city of New Orleans, La., and the Panama Canal Zone.

The bill (S. 4383) to establish an air mail service between the city of New Orleans, La., and the Panama Canal Zone was read twice by its title.

Mr. RANDELL. I ask unanimous consent of the Senate to occupy not exceeding three minutes in explaining the bill.

Mr. SMOOT. The Senator is not going to ask unanimous consent for the consideration of the bill?

Mr. RANDELL. Not at all. I just want about three minutes to explain the bill.

The PRESIDENT pro tempore. Without objection, the Senator has three minutes to explain the bill.

Mr. RANDELL. Mr. President, it would be difficult to estimate the advantages to be derived from an air mail service between New Orleans, La., and the Panama Canal Zone. When this is done other lines would spring up connecting the major route with the capitals of Mexico, Guatemala, Honduras, Nicaragua, El Salvador, Costa Rica, Panama, Colombia, Venezuela, and other South American countries, while air service would connect New Orleans with the principal cities of the United States.

Communication with the capitals of Latin-America is circuitous, difficult, and very slow. The mountainous character of the country has placed an effective barrier in the path of railroad development.

In the beginning such an air mail service may not produce sufficient revenue to be self-sustaining. This would be offset, however, by the tremendous increase in commerce which it would generate.

A pressing need exists for more rapid mail communication between these sections of the two Americas. Business can not

flourish when long delays are required for the exchange of letters between them. Telegraph and radio are doing their part, but are costly and have inherent limitations.

Speed in modern business is a prerequisite to the upbuilding of commerce. Speeding up commercial transactions and more intimate relations with Central and South America and the United States is the end desired. The demands of present-day affairs have developed transcontinental daily air mail service between New York and San Francisco. Like circumstances make necessary a similar facility between the United States and our sister republics on the south.

No opportunity should be overlooked to develop and strengthen a closer feeling of friendship between the United States and Latin-America, and there is no better way to accomplish this purpose than by setting up the means by which they may become more intimately associated with us in business and otherwise. These nations are our neighbors, but because of the slow method of mail communication extant we have grown to look upon them as a remote part of the world. If we can provide a service which will bring them days and weeks closer to our great markets it will have the effect of promoting a better understanding than anything else we can do.

That other governments are taking active steps to promote business with the Latin-Americans is indicated by the enterprising steps they are taking in encouraging trade. For instance, I am advised that an Italian exhibit ship recently called at Buenos Aires and other ports with an expensive and attractive display of the manufactured products of Italy.

New Orleans is the focal point of the Mississippi Valley, at which all business might be easily centered and redistributed to international points. It must not be forgotten that the center of population and manufacturing of the United States is in the Mississippi Valley, spread out fan shape from New Orleans. This city is, therefore, the logical point of departure, both commercially and geographically, for an air mail route connecting with Latin-America. Such a route would also be an invaluable adjunct to the International Trade Exhibition which will open in New Orleans on September 15 and which, in my opinion, is destined to play an important rôle in the upbuilding of American commerce.

The military value of such an air mail service in time of war would be difficult to estimate. America must have sufficient airplanes and trained pilots ready for national defense. This can best be secured by the commercializing of aircraft on the part of our Government.

Mr. President, I ask that the bill be referred to the Committee on Post Offices and Post Roads.

The PRESIDENT pro tempore. The bill will be so referred.

Mr. DIAL. Mr. President, I suggest that the Senator's bill be amended so as to provide for a route beginning in New York and going down the coast.

Mr. RANSDELL. We have a very wise committee on Post Offices and Post Roads, and they already have a good route from New York to San Francisco. I will say to the Senator that if they should wish to run it along the Atlantic coast, that would not meet with any objection from me. I should be glad to see it. I think we are going to have these routes all over the country in the near future.

BILL INTRODUCED

Mr. JONES of Washington introduced a bill (3,4384) for the relief of William H. Grayson (with accompanying papers), which was read twice by its title and referred to the Committee on Military Affairs.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL

Mr. FLETCHER submitted an amendment proposing to appropriate \$7,500 to pay for preparing a new edition of the Biographical Congressional Directory, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, etc., intended to be proposed by him to House bill 12392, the second deficiency appropriation bill, which was referred to the Committee on Printing and ordered to be printed.

Mr. OVERMAN submitted an amendment proposing to establish a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the patriotic action taken by the people of Mecklenburg County of North Carolina in May, 1775, in declaring their independence of the English Crown, intended to be proposed by him to House bill 12392, the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. STEPHENS submitted an amendment intended to be proposed by him to House bill 12392, the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed as follows:

In the proper place in the bill insert the following:

"That the Secretary of the Treasury be and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth H. Rice, or her executors or administrators the sum of \$42,238.78, in compliance with the findings of the Court of Claims in the case of Elizabeth H. Rice against the United States, congressional number 13,689, and also in full of all demands arising out of the transactions referred to in said findings of the Court of Claims, and in compliance with Senate bill 49, which passed the Senate on January 21, 1924."

WRITS OF ERROR

Mr. WALSH of Montana. Some time ago the Senate passed the bill (S. 2693) in reference to writs of error, which went to the House and returned with an amendment. Thereupon the matter was referred to the Committee on the Judiciary, and now, by direction of the Committee on the Judiciary, I move that the Senate disagree to the House amendment, ask for a conference with the House, and that the Chair appoint conferees.

The motion was agreed to, and the President pro tempore appointed Mr. SHORTEIDGE, Mr. STERLING, and Mr. WALSH of Montana conferees on the part of the Senate.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below.

H. R. 12300. An act to amend section 281 of the revenue act of 1924; to the Committee on Finance;

H. R. 919. An act for the relief of Frank Norton;

H. R. 1579. An act authorizing the disposition of certain lands in Minnesota;

H. R. 3618. An act for the relief of Nora B. Sherrier Johnson; and

H. R. 9687. An act permitting the sale of the northeast quarter, section 5, township 6 north, range 15 west, 160 acres, in Conway County, Ark., to A. R. Bowdre; to the Committee on Public Lands and Surveys.

H. R. 912. An act for the relief of John H. Barrett and Ada H. Barrett;

H. R. 2646. An act for the relief of Ida Fry;

H. R. 3839. An act for the relief of M. Castanola & Son;

H. R. 7744. An act for the relief of Wesley T. Eastep;

H. R. 8037. An act for the relief of Mallory Steamship Co.; and

H. R. 9471. An act for the relief of Henry T. Hill; to the Committee on Claims.

H. R. 811. An act for the relief of Frederick Marshall;

H. R. 1445. An act to change the retired status of Chief Pay Clerk R. E. Ames, United States Navy, retired;

H. R. 2921. An act for the relief of Paymaster Herbert Elliott Stevens, United States Navy;

H. R. 3771. An act for the relief of John Clarence Shea;

H. R. 5456. An act granting six months' pay to Lucy B. Knox;

H. R. 8566. An act for the relief of Claude S. Betts, late ensign (pilot), Naval Air Service;

H. R. 9969. An act for the relief of the New York Shipbuilding Corporation for losses incurred by reason of Government orders in the construction of battleship No. 42; and

H. R. 10347. An act for the relief of Robert B. Sanford; to the Committee on Naval Affairs.

H. R. 1226. An act for the relief of George Penrod;

H. R. 1397. An act for the relief of William A. Glasson;

H. R. 2197. An act for the relief of Orrin F. Strickland;

H. R. 2225. An act to correct the military record of Thornton Jackson;

H. R. 2415. An act for the relief of Robert E. A. Landauer;

H. R. 2528. An act for the relief of Hannah Parker;

H. R. 3727. An act for the relief of Andrew Cullin;

H. R. 4932. An act for the relief of Jacob F. Webb;

H. R. 5278. An act for the relief of Edward N. Moore;

H. R. 5639. An act for the relief of Walter Baker;

H. R. 6442. An act for the relief of William H. Armstrong;

H. R. 6824. An act for the relief of Joseph A. Choate;

H. R. 7131. An act for the relief of Pleasant R. W. Harris;

H. R. 7133. An act for the relief of James Shook;

H. R. 7713. An act for the relief of Walter L. Watkins, alias Harry Austin;

H. R. 7934. An act for the relief of Benjamin F. Youngs;

H. R. 8672. An act for the relief of Robert W. Caldwell;

H. R. 8749. An act to correct the military record of Tennessee McCloud;

H. R. 10763. An act for the relief of William Lentz; and

H. R. 11425. An act to correct the military record of Sylvester De Forest; to the Committee on Military Affairs.

H. J. Res. 226. A joint resolution for the relief of special disbursing agents of the Alaskan Engineering Commission, authorizing the payment of certain claims, and for other purposes, affecting the management of the Alaska Railroad; to the Committee on Territories and Insular Possessions.

PRICE OF GASOLINE

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which the Secretary will read.

The reading clerk read Senate Resolution 341, submitted by Mr. TRAMMELL on the 18th instant, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, directed to forthwith transmit to the Senate a copy of its report on its investigation in 1923 and 1924 of the price of crude oil, gasoline, and other petroleum products and other data pertaining to the operations of the oil companies and refineries.

Mr. MOSES. Mr. President, this is the resolution to which I raised some objection the other day. If the Senator from Florida is willing to direct the resolution to the President, and to insert the words "if not incompatible with the public interest," I shall not object to its consideration. I can not object under the rule, I understand, nor am I disposed to take any time of the Senate in attempting to prevent its passage.

I stated to the Senate the other day that I had been reliably informed that the report called for by the resolution is being used by the Department of Justice in the pursuit of an investigation to determine what, if any, legal proceedings shall be had.

Under those circumstances it is my opinion that the report should not become public property. If the Senator from Florida will agree to the insertion of the words "if not incompatible with the public interest," and will direct the resolution to the President, who can direct the Federal Trade Commission to send the report here, I shall interpose no objection. Otherwise I shall have to enter upon the use of a great deal of time in discussing matters relevant and irrelevant to the resolution. In the first instance, I shall have to suggest the absence of a quorum, because the junior Senator from Oklahoma [Mr. HARREL], who is vitally interested in the resolution, is not in the Chamber.

The PRESIDENT pro tempore. Does the Senator from New Hampshire suggest the absence of a quorum?

Mr. MOSES. I have not done so yet, as I am trying to find out whether the Senator from Florida is willing to accept the slight amendment which I am suggesting.

Mr. TRAMMELL. Mr. President, it is my understanding that this investigation was not made at the direction of the President, but that it was made on the initiative of the Federal Trade Commission, probably at the suggestion of the governors of certain States. That being true, I see no reason why we should call upon the President to transmit to the Senate this information instead of making a direct request on the Federal Trade Commission. Of course, I know the object and the purpose of the Senator from New Hampshire. It is to further suppress the information contained in this report. There is no use fooling ourselves or being deceived in the matter. If the Senate should pass a resolution requesting the President to transmit the report, and to say in the resolution "if not incompatible with the public interest," there would be every probability that we would never receive the information.

The Senator from New Hampshire may entertain the idea that the Senate and the public have no right to this information, but I entertain a contrary view, namely, that the investigation was carried on by a public commission, a commission that is serving the public, or which should serve the public, and not merely the President, that the Senate should have the information, and that the public should have the benefit of such information as may be contained in the report. This is peculiarly true in view of the fact that the oil companies throughout the country have within the past two or three weeks made what appears to be an exorbitant increase in the price of gasoline and of crude oil. The information called for by the resolution bears directly upon that subject.

I do not see why the Senate should surrender the entire supervision of this matter to the President and to the Department of Justice. It has been stated upon the floor of the Senate that the Federal Trade Commission made an investigation last year, and that has been the reason advanced why we should not adopt another resolution, such as I have introduced, making inquiry into the advance in the price of gasoline and of crude oil.

I do not like to agree to any amendment to a resolution which means the sounding of its death knell or the pigeonholing of the resolution, and that is what this amendment

would mean. That is the reason why the Senator from New Hampshire is advancing that idea. It is because he desires to further suppress the information that may be contained in this report. That is my view of the situation.

Mr. BRUCE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Maryland?

Mr. TRAMMELL. I will yield for a question only, not for a speech.

Mr. BRUCE. That is all I ask of the Senator, and my question is this: Has any statement been made by the President or by the Federal Trade Commission to the effect that there is any public reason why this report should be withheld from the public? I merely ask the question for information.

Mr. TRAMMELL. None has been made. There has been no public information given out in regard to the report. Not even to the press has there been furnished any information as to what the report contains. I understand that the press has been denied any information as to what is embraced within the report.

Mr. BRUCE. It has been denied?

Mr. TRAMMELL. I do not claim that the President has denied the information, but the press has been unable to obtain any information as to what is contained in the report.

Mr. BRUCE. No statement has been made by the President or the Federal Trade Commission that there is any public reason why this report should be confidential?

Mr. TRAMMELL. Not that I know of.

Mr. BRUCE. Then I shall vote for the resolution.

Mr. TRAMMELL. None has been made that I know of. I have heard of no reason why it should not be made public. I am unable to see why the Senate is not entitled to this information. It seems rather peculiar to me that this body passes resolutions almost daily for the investigation of everything on the face of the earth, but when it comes to a matter of such vital importance to the American people, a matter in which the entire citizenship of our country are interested, there are Senators who offer some technical objection as to why the resolution should not be adopted, or as to why it should be so trimmed about that it will not be effective and that no results will be obtained through the adoption of the resolution. I think the resolution should be adopted just as it has been offered. I do not like the idea of accepting amendments which would defeat the purpose and object of the resolution.

My resolution calling for an investigation into the recent increase in the price of gasoline has been objected to, but I see no reason why the Senate should not consider it, since it has been pending for a week. I should dislike to feel that I had to object to everybody else's efforts to get up matters by unanimous consent, but I have almost reached the point where I would feel that I should object to the consideration of any matter by unanimous consent if there is to be a policy on the part of one or two or three or four Senators to prevent even consideration of my resolution inquiring into the recent advance in the price of gasoline.

Mr. NORRIS. Mr. President—

Mr. TRAMMELL. I say that resolution should be considered. If the Senate wants to vote it down, let it be voted down, but let us have an expression on it.

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Nebraska?

Mr. TRAMMELL. I yield.

Mr. NORRIS. Why does not the Senator move that the resolution be taken up? He has a right to do that.

Mr. TRAMMELL. I have asked to have it taken up once or twice, but it was under unanimous consent, and objection was made.

Mr. NORRIS. An objection will not avail, even if it should displace something else. If the Senator would move to take it up, I have no doubt his motion would prevail.

Mr. MOSES. It is a resolution coming over from a previous day, is it not?

Mr. TRAMMELL. It is a resolution coming over from a previous day.

Mr. MOSES. Then the resolution is properly before the Senate at this time.

Mr. TRAMMELL. I do not care to accede to the request of the Senator, that we amend the resolution so as to kill it. I would like to have a vote on the resolution as I introduced it, calling on the Federal Trade Commission to transmit this report to the Senate for its consideration. I think the information called for is very pertinent, that it is information to which the Senate and the American people are entitled.

There was something said here the other day about the Department of Justice having this report, and that it would

probably do something or had already done something. The Department of Justice has done nothing except to file a suit in equity involving certain patents. That does not go to the main question. The main question is that of price fixing and the attitude and the practice of the oil companies in pyramiding prices at regular, frequent seasons throughout the year, when, as many think, there is no apparent justification for such abnormal and unreasonable advances in the price of gasoline. So it is no answer to this resolution to say that the Department of Justice has brought some kind of an equity suit seeking to establish whether there has been some infringement of certain patent rights on the part of one company that may belong to another company. There is no information before the Senate that the Department of Justice has done anything else whatever, although this report was filed with the President last June, eight months ago, and has been in the hands of the Department of Justice for six or seven months.

I think the Senate is entitled to the information, I think the country is entitled to the information, and for that reason I do not like to have the resolution hedged about so as to accomplish its defeat in a mild way. That is what the amendment would mean. It would mean the defeat of the purpose and the object of the resolution. I hope the resolution will be adopted.

Mr. MOSES. Mr. President, of course I am not presumptuous enough to think that I could conceal from the discerning Senator from Florida any motive which I might have in anything I attempted to do in the Senate. Nor am I presumptuous enough to think that any form of words which the Senator from Florida writes into a resolution can be improved upon. Nevertheless I will state my own motives for myself in the action which I have taken thus far on this resolution, and which I purpose to take. It is that I do not believe it proper for the Senate to withdraw from the Department of Justice a report of the Federal Trade Commission upon which the Department of Justice is conducting an investigation with a view to instituting legal proceedings.

The Senator from Florida points out that thus far the Department of Justice has done nothing but institute proceedings with reference to the use of certain patents. That is true, Mr. President, but I am informed, I think with reliability, that the Department of Justice is at work, through agents, several in number, upon this very report, with a view to ascertain whether further proceedings, even of a criminal nature, may not be had. Under those circumstances I would not wish to take the responsibility of bringing out the report and making it public property and of putting upon notice those persons, those corporations, those interests, which are under investigation, and which might be brought before the courts under proceedings duly instituted.

Therefore, I think this resolution should be couched in the usual form in which such resolutions are agreed to, and should be addressed to the President, who is the channel through whom we communicate with the executive departments. We do not customarily demand that public papers be sent here from a subordinate bureau or an independent establishment; we transmit our requests through the President. I think this resolution should also take that course.

I think this resolution also, in view of the facts which have been communicated to me and which I believe to be well authenticated, should contain the words "if not incompatible with the public interest," so that no one who may have been guilty of an infraction of the law shall be put upon notice of proceedings which are contemplated against him.

I do not know whether the recent increase in the price of gasoline is compatible with the increase in the price of crude oil or not. As a matter of fact, I have no personal interest in this matter. No drop of oil is produced in my State or in my section of the country. I hear no special outcry from my State or from my section of the country about prices of oil or of gasoline.

When the Senator from Florida attempts to point out, as a justification for the resolution in the form in which he presents it, that the Senate has been passing other resolutions of investigation, that is too sadly true. It is because the Senate, without forethought, rashly, impetuously, tumultuously even, and in a number which no one can possibly estimate, has passed resolutions of investigation and carried on a saturnalia of investigation, to no purpose, either practical or political, that the Senate has fallen in the esteem of the public. If for no other reason than that, I would seek to protect the Senate against further public reproach, because of another effort to embark upon a saturnalia of investigation.

At any rate, I can assure the Senator from Florida that the Senate will have a chance to vote on the two amendments which I deem to be simple, which I deem to be proper, and

which I had hoped he would accept. If he will not accept them and the Senate will not accept them, necessarily under the parliamentary situation I shall be compelled to submit; but it seems to me if the Senator from Florida wishes to accomplish no purpose other than that which the resolution points out, he would not wish to hamper the progress of justice in order that a form of words which he has drafted should pass without change through the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the resolution of the Senator from Florida.

Mr. MOSES. The Senator from Oklahoma [Mr. HARRELD], who is interested in the matter, is not present. Therefore I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum is suggested. The Clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fernald	Ladd	Sheppard
Ball	Ferris	Lenroot	Shipstead
Bayard	Fess	McKellar	Shortridge
Bingham	Fletcher	McKinley	Simmons
Borah	Frazier	McLean	Smith
Brookhart	George	McNary	Smoot
Broussard	Gerry	Mayfield	Spencer
Bruce	Glass	Means	Stanfield
Bursum	Gooding	Metcalf	Stephens
Butler	Greene	Moses	Sterling
Cameron	Hale	Neely	Swanson
Capper	Harreld	Norbeck	Trammell
Caraway	Harris	Norris	Wadsworth
Copeland	Heflin	Oddie	Walsh, Mass.
Cummins	Howell	Overman	Walsh, Mont.
Curtis	Johnson, Calif.	Pepper	Warren
Dale	Johnson, Minn.	Phipps	Watson
Dial	Jones, N. Mex.	Pittman	Weller
Dill	Jones, Wash.	Ralston	Willis
Edge	Kendrick	Reed, Mo.	
Edwards	Keyes	Reed, Pa.	
Ernst	King	Robinson	

The PRESIDENT pro tempore. Eighty-five Senators having answered to the roll call, a quorum is present.

Mr. MOSES. The question before the Senate is on agreeing to the resolution of the Senator from Florida?

The PRESIDENT pro tempore. It is.

Mr. MOSES. I move to amend the resolution so that it shall read:

Resolved, That the President be and is hereby requested, if not incompatible with the public interest, to forthwith transmit to the Senate a copy of the report by the Federal Trade Commission on its investigation in 1923 and 1924, etc.

The amendment puts the resolution in the usual form of such inquiries. It may be that the Senate of the United States can not trust the President, but the country does.

Mr. TRAMMELL. Mr. President, with reference to the amendment proposed by the Senator from New Hampshire, I wish it known that it is not a question of not trusting the President, but it is a matter of requesting that the report come from the department which made the report. I take it that the Senate has as much right to this information and report as the President has to the report. For that reason I feel that we may, with perfect propriety and with perfect courtesy to the President, make the request direct upon the Federal Trade Commission for the report. For that reason, I hope the amendment proposed by the Senator from New Hampshire will not be adopted.

Mr. WALSH of Montana. Mr. President, the amendment proposed by the Senator from New Hampshire presents a rather important question, namely, whether the President of the United States can control the action of the Federal Trade Commission. I trust that idea will not be accepted by the Senate. I trust it will be understood that the Federal Trade Commission and the Interstate Commerce Commission and other bodies of like character discharging quasi judicial duties will not be regarded as under the domination of the President of the United States as are the various departments of the Government. My understanding about the matter is, that the President of the United States has no control whatever over the Federal Trade Commission or any of its acts. He has no authority to direct the Federal Trade Commission in any particular. If we want information from any of those bodies we must go to those bodies for the information.

I should have no objection to the amendment except the one I suggest, namely, that we ought to leave these bodies, so far as we can, as utterly independent as it is possible to do so to discharge their quasi judicial duties as nearly as they can be discharged by a court.

Mr. CURTIS. Mr. President—

Mr. WALSH of Montana. It seems to me it would be quite as consistent to ask the President of the United States to

transmit information possessed by the Supreme Court of the United States as by the Federal Trade Commission. I yield to the Senator from Kansas.

Mr. CURTIS. With the fact known that the Department of Justice is looking into these matters with a view to bringing suits, I desire to ask the Senator if he does not think that the words "if not incompatible with the public interest" should be written into the request for the report?

Mr. WALSH of Montana. If it were going to the President, of course, that language should be written in. There is no question about that proposition at all, but I raise the question whether it should go to the President.

Mr. CURTIS. I had reference to the suggestion of the Senator that the resolution should be directed to the Federal Trade Commission. If that be true, ought not that provision to be included, because it is a fact that the report is being used by the Department of Justice and investigators are now in the field investigating certain parts of the report. I have a positive statement to that effect from the attorney in charge of the case. Otherwise it might be that something would be made public which ought not to be made public.

Mr. WALSH of Montana. I agree with the Senator about that feature.

Mr. CURTIS. I think in view of that fact, the Senator ought to consent to the inclusion of those words.

Mr. MOSES. Mr. President, apparently there is an interesting colloquy between the two Senators, but we can not hear a word of it.

Mr. CURTIS. I beg the Senator's pardon. I was stating that I have positive information from the attorney in charge of this matter for the Department of Justice that they have had investigators in the field looking into the matters contained in the report with a view to bringing action if it were justified. Therefore, I think there ought to be incorporated in the resolution the words "if not incompatible with the public interest." So far as I am concerned I do not care if the resolution is directed to the Federal Trade Commission; I am inclined to think it should be addressed to the commission; but I do think they ought not to be asked to send the report here if it would interfere with the investigation of the case.

Mr. WALSH of Montana. I am quite sure that is not the intention of the Senator from Florida.

Mr. MOSES. Ma— I say to the Senator from Montana that according to the statement made by the Senator from Florida the report went to the President from the Federal Trade Commission. If the Federal Trade Commission had thought it to be of a nature to be given to the public, undoubtedly the Federal Trade Commission would have so given it. The Senator from Florida admits, even complains, that the assiduous gentlemen of the press have not been able to secure the substance of the report. Therefore, there must be some reason why the report has not been given publicity by those who wrote it or by those to whom it has been transmitted. Certainly, whether the resolution is addressed to the Federal Trade Commission or to the President—and I still maintain that the President is the proper avenue—the words "if not incompatible with the public interest" should be included in the resolution.

I can not conceive that the Senator from Florida wants the report to be made public if it is incompatible with the public interest to do so. I can not conceive that the Senator from Florida will undertake to set up his dictum of what is compatible with the public interest regarding a report which he has never seen, the contents of which he does not know, the import of which nobody can predict, inasmuch as the Department of Justice is working on it with a view to instituting legal proceedings.

Mr. BRUCE. Mr. President—

Mr. CURTIS. Mr. President, before the Senator from Maryland proceeds—

Mr. BRUCE. I merely wish to make a statement; I am not going to make any address. I simply wish to say that I think there is one thing that the Senator from New Hampshire [Mr. Moses] overlooked; that is, that under the provisions of the Federal Trade Commission law Congress itself has the right to direct an investigation, and, of course, Congress in some instances would be powerless to direct an investigation unless reports of this description were accessible to it. The commission has the right, on its own initiative, to inaugurate an investigation; and Congress has the separate and independent right to direct or to insist upon an investigation. It seems to me that makes quite a difference.

Mr. MOSES. Mr. President, will the Senator now permit me to interrupt him?

Mr. BRUCE. Yes.

Mr. MOSES. I am not questioning the right of the Federal Trade Commission to have made this investigation, and, of course, I know that the right of the Senate is undoubted to demand any document which it may wish from any department. Sometimes our requests and our demands for documents or for information from an executive department are received with courtesy and the document is produced, but sometimes such requests are completely ignored, and the Senate is not even accorded the courtesy of receiving the reply, "Yours received and contents noted." I am not raising that question at all, Mr. President; I am raising the question of the propriety of this action under the circumstances.

Mr. BRUCE. Yes; but how long is this right on the part of Congress to have access to an important document of that kind to be denied?

Mr. MOSES. I am not denying the right of Congress to have access to this document if the Senate by a majority vote shall agree to this resolution in any form. I know that the Senate is acting within its rights. Mr. President, I appeal to the Senator from Maryland as a lawyer, as a believer in justice, whether he thinks that a report upon which a prosecuting department is at work with a view to instituting legal proceedings should be made public prior to action being taken?

Mr. BRUCE. But the Department of Justice may never take any action at all, and it seems to me that Congress ought to be placed in a position to determine whether action should be taken or not.

Mr. MOSES. If the Senator wishes to impugn the motives of the Department of Justice, he may do so.

The PRESIDENT pro tempore. The Senate will be in order. Gentlemen at the rear of the Chamber will please take their seats until order is restored. The proceedings of the Senate will be suspended until Senators take their seats.

Mr. BRUCE. Mr. President—

The PRESIDENT pro tempore. The Chair will recognize no Senator until the Senate is in order.

Mr. BRUCE. I think I have the floor.

The PRESIDENT pro tempore. And there will not be order until gentlemen in the rear of the Chamber take their seats.

Mr. BRUCE. I think I have the floor, so far as a fact of that kind can be determined.

The PRESIDENT pro tempore. Did the Senator from Maryland understand the statement of the Chair?

Mr. BRUCE. Excuse me, Mr. President; I did not even hear the statement.

The PRESIDENT pro tempore. Proceedings will be suspended until order shall have been restored.

Mr. BRUCE. I thought that that order itself had been suspended.

The PRESIDENT pro tempore. Now, does the Senator from New Hampshire yield to the Senator from Maryland?

Mr. MOSES. The Senator from Maryland [Mr. Bruce] had the floor and I was interrogating him.

Mr. BRUCE. I simply wish to express my regret that I should have proceeded when the Presiding Officer had ordered the suspension of proceedings. I did not hear the statement of the Chair.

APPOINTMENTS TO TARIFF COMMISSION

Mr. SIMMONS. Mr. President, I rise to a question of personal privilege. I will detain the Senate for only a moment. On the 13th day of January of this year I read into the CONGRESSIONAL RECORD a short editorial from the Washington Post with reference to a certain letter that had been circulated by the National Tariff Council soliciting contributions for the purpose of certain propaganda to obtain the appointment of protectionist Democrats on the Tariff Commission.

I also put into the Record at the same time the letter referred to in the editorial published in the Post, and I briefly commented thereon. In order that the statement I intend now to make may be understood, I ask for a reprint in the Record of that editorial and letter and the brief comment that I made on that occasion.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The matter referred to is as follows:

APPOINTMENT TO TARIFF COMMISSION

Mr. SIMMONS. Mr. President, will the Senator from Washington yield to me for the purpose of putting certain documents in the Record?

Mr. JONES of Washington. I yield for that purpose.

Mr. SIMMONS. I want to read to the Senate a very brief editorial appearing this morning in the Washington Post under the title of "A serious charge," as follows:

"A SERIOUS CHARGE"

"The United States Sugar Association has issued a circular under date of January 9, signed by its secretary, in which it calls attention to a letter sent out by Jesse F. McDonald, former Governor of Colorado, now president of the National Tariff Council of the State. This extraordinary document, according to the sugar association's circular, solicits 'contributions of \$100 each from 100 different individuals, firms, and corporations for the avowed purpose of preventing the reappointment of Commissioner David J. Lewis and securing the selection of a "protectionist Democrat" in his place.'

"If this letter has been correctly quoted by the sugar association, the charge is one which can not be ignored. No matter what modifications might appear from a perusal of the context, the implication as set forth in the circular is of an unblushing attempt to bribe officials of the United States Government. What else can 'contributions' for the 'purpose of preventing' a reappointment mean?

"It would seem as if a great deal too much has been said, or much too little. It assuredly behooves one who has been honored by the people of his State, as well as a host of presumably reputable firms and individuals, to come forward to explain the meaning of their actions."

Mr. President, I wish also to put in the RECORD, along with the editorial, the letter to which it refers. If the Senator from Washington will grant me sufficient time, I would like to have the clerk read the letter.

Mr. JONES of Washington. I have no objection.

The PRESIDING OFFICER (Mr. MOSES in the chair). Without objection, the clerk will read as requested.

The reading clerk read as follows:

NATIONAL TARIFF COUNCIL,
Denver, Colo., August 15, 1924.

DEAR MR. ———: I am inclosing copy of a news item from a recent issue of the Pueblo Chieftain, which will give you a general idea of the work we are carrying on in behalf of the producers of Colorado.

The National Tariff Council is doing similar work in Alabama, Georgia, and other selected States in a concentrated effort to first break down the opposition to protect in the heart of the South and then use it as an influence in other States.

Of equal importance to this organization work is the appointment of a tariff commissioner to succeed Commissioner Lewis, whose term of office expires September 30.

Mr. Lewis is one of the three commissioners who voted to reduce the present tariff on sugar. The law requires that the Tariff Commission shall be bipartisan and Mr. Lewis's successor must be a Democrat.

The industries comprising the National Tariff Council, numbering more than 100, are putting forth their combined efforts to secure the appointment of a protectionist Democrat to this important position.

The success of this movement means that friends of raw materials will then constitute a majority of the Tariff Commission.

As you well know, there is a widespread movement now under way throughout the Nation for a general tariff reduction, especially on raw materials.

The tariff schedules affecting one of Colorado's leading money crops have recently been attacked and there is grave danger that other farm, ranch, and mine products may next come under fire.

The bankers, merchants, and producers of Colorado are aiding the movement to prevent this discrimination against our State and we want you to join in financing this activity.

Will you be one of 100 prominent citizens to subscribe \$100 to this worthy cause? Check should be made payable to the National Tariff Council and mailed to Clark G. Mitchell, care of the Denver National Bank.

Yours very truly,

JESS F. McDONALD, Colorado Chairman.

Approved:

Rox Cox,

President Colorado Bankers' Association.

W. E. LETFORD,

President Mountain States Beet Growers' Marketing Association.

BEN M. WHITE,

President Colorado Stockgrowers' Association.

W. J. H. DORAN,

President Colorado Manufacturers and Merchants' Association.

D. B. BIER,

President Colorado Creamery Butter Manufacturers' Association.

FRANK RAUCHFUSS,

Secretary Colorado Honey Producers' Association.

Mr. SIMMONS. Mr. President, I shall not trespass upon the time of the Senator from Washington, who very kindly gave me permission to interrupt him merely for the purpose of putting these documents into the RECORD. I do not at this time wish to comment at all upon the documents, either the editorial or the letter. I think they both speak adequately for themselves; but at some later time I shall revert to

this question and put into the RECORD other documents that are in my possession relating to this matter. For the present I content myself by making public in the RECORD what appears to be an attempt by grossly improper methods to influence the selection of the personnel of the commission.

Mr. SIMMONS. On February 12, Mr. President, referring to the same subject, I used this language:

A few weeks ago, on January 30—

That should have been January 13—

I read in the Senate an editorial from the Washington Post commenting upon a certain letter alleged to have been somewhat extensively distributed among certain classes in the country advocating the appointment by the President to membership upon this commission—

Meaning the Tariff Commission—

of Democrats known to favor a protective tariff. That letter was referred to in terms of unqualified condemnation in the editorial which I read from the Washington Post. The editorial did not contain the letter referred to. I happened to have in my possession a copy of the letter that had been given to me. It was a letter issued by some branch organization of the Protective Tariff League or some organization in some way associated with the Protective Tariff League.

I assumed, Mr. President, that I was justified in making that statement by reason of the fact that the letter to which I referred was issued by the American Tariff Council, an organization functioning in Denver and in the South, and particularly for the reason that the letter contained the following language:

I am inclosing copy of a news item from a recent issue of the Pueblo Chieftain, which will give you a general idea of the work we are carrying on in behalf of the producers of Colorado.

The National Tariff Council is doing similar work in Alabama, Georgia, and other selected States in a concentrated effort to first break down the opposition to protection in the heart of the South and then use it as an influence in other States.

I assumed that the American Tariff Council was in some way affiliated with the American Protective Tariff League, because both organizations were doing the same character of work—conducting propaganda in favor of the protective-tariff theory in the Southern States and in the West.

I have received a letter from the American Protective Tariff League, dated February 16, 1925. I will say, Mr. President, that by reason of the fact that other matters have so closely engaged my attention recently my correspondence has necessarily been somewhat neglected, and that letter, although several days old, was not brought to my attention until yesterday afternoon. I will not read the whole letter, but will quote certain portions of it and then ask that the letter entire may be printed in the RECORD:

Hon. F. McL. SIMMONS,

United States Senate, Washington, D. C.

HONORED SIR: The members of the American Protective Tariff League believe that you would not willingly do anyone an injustice and feel sure that you will have no hesitancy in correcting your remarks as reported in the CONGRESSIONAL RECORD of February 12, in which you place responsibility upon the Protective Tariff League in the following language—

Meaning responsibility for the letter of the National Tariff Council. I will now read the denial of the American Protective Tariff League, which is as follows:

There is no protective tariff league in the country other than the American Protective Tariff League, organized in 1885 under the society laws of the State of New York.

The American Protective Tariff League had nothing to do with the incident referred to, either direct or indirect. It has no branch organization or subsidiary.

The American Protective Tariff League believes in and advocates an adequate protective tariff to every product natural to our soil and climate, and its work is thoroughly understood by Members of the Congress. Its methods are an open book to you and your colleagues.

We knew nothing of the organization issuing the soliciting letter of August 15, 1924, until we saw its name in the daily newspapers when the letter was originally printed.

Mr. President, I am glad to read into the RECORD this statement of denial on the part of the American Protective Tariff League. If my remarks have done them an injustice, as from their statement may seem to be the case, I am very glad to make the correction.

I ask unanimous consent to have the entire letter from the American Protective Tariff League from which I have read printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter entire is as follows:

THE AMERICAN PROTECTIVE TARIFF LEAGUE,
New York, February 16, 1925.

Hon. F. McIL SIMMONS,

United States Senate, Washington, D. C.

HONORED SIR: The members of the American Protective Tariff League believe that you would not willingly do anyone an injustice, and feel sure that you will have no hesitancy in correcting your remarks as reported in the CONGRESSIONAL RECORD of February 12, in which you place responsibility upon the Protective Tariff League in the following language:

"I say the propaganda has been open and brazen. A few weeks ago, on January 30, I read in the Senate an editorial from the Washington Post commenting upon a certain letter alleged to have been somewhat extensively distributed among certain classes in the country advocating the appointment by the President to membership upon this commission of Democrats known to favor a protective tariff. That letter was referred to in terms of unqualified condemnation in the editorial which I read from the Washington Post. The editorial did not contain the letter referred to. I happened to have in my possession a copy of the letter that had been given to me. It was a letter issued by some branch organization of the Protective Tariff League or some organization in some way associated with the Protective Tariff League.

"The letter purported upon its face to have been addressed to 100 well-selected Democrats, as I understood it, but who were 'protectionist Democrats,' Democrats who, while affiliating with that party, did not agree with its views upon the tariff. It was addressed to them, advocating efforts to procure the appointment by the President of the United States to fill prospective vacancies upon the Tariff Commission of Democrats who entertain the Republican theory of the tariff and who in their action upon that commission would reflect the view of the Republican Party upon that question instead of the views of the Democratic Party."

Your previous remarks upon this subject are found in the CONGRESSIONAL RECORD of January 13, not January 30.

There is no protective tariff league in the country other than the American Protective Tariff League, organized in 1885 under the society laws of the State of New York.

The American Protective Tariff League had nothing to do with the incident referred to, either direct or indirect. It has no branch organization or subsidiaries.

The American Protective Tariff League believes in and advocates an adequate protective tariff to every product natural to our soil and climate, and its work is thoroughly understood by Members of the Congress. Its methods are an open book to you and your colleagues.

We knew nothing of the organization issuing the soliciting letter of August 15, 1924, until we saw its name in the daily newspapers when the letter was originally printed.

Very truly yours,

WILBUR E. WAKEMAN,
Treasurer and General Secretary.

HOOR OF MEETING TO-MORROW

Mr. CURTIS. I ask unanimous consent that when the Senate concludes its business to-day it adjourn to meet at 11 o'clock to-morrow morning.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent that when the Senate conclude its business for the day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection? The Chair hears none, and it is so ordered.

DEATH OF SENATOR M'CORMICK

Mr. McKINLEY. Mr. President, it is my sad duty to announce to the Senate the death of my late colleague, Senator MEDILL M'CORMICK. This is not the proper time and occasion for a fitting testimonial to be offered to his memory. At a later date I shall ask that a day be set aside upon which proper tributes may be paid to the life, character, and public services of Senator M'CORMICK. For the present I send to the desk the following resolutions and ask unanimous consent for their immediate consideration.

The resolutions (S. Res. 345) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. MEDILL M'CORMICK, late a Senator from the State of Illinois.

Resolved, That a committee of 10 Senators be appointed by the President pro tempore to take order for superintending the funeral of Mr. M'CORMICK, to be held in the city of Chicago, Ill.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDENT pro tempore appointed under the second resolution the Senator from Illinois [Mr. McKINLEY], the junior Senator from Kentucky [Mr. ERNST], the senior Senator from Maine [Mr. FERNALD], the junior Senator from California [Mr. SHORTEIDGE], the senior Senator from New York [Mr. WADSWORTH], the senior Senator from Alabama [Mr. UNDERWOOD], the senior Senator from Massachusetts [Mr. WALSH], the junior Senator from Utah [Mr. KING], the junior Senator from South Carolina [Mr. DIAL], and the senior Senator from Tennessee [Mr. SHIELDS] as members of the committee on the part of the Senate to superintend the funeral of the deceased Senator.

Mr. McKINLEY. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 30 minutes p. m.) the Senate adjourned, the adjournment being, under the order heretofore made, until to-morrow, Thursday, February 26, 1925, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 25, 1925

The House met at 11 o'clock a. m.

The Rev. William McGuire Hoffman, Waugh Methodist Episcopal Church, offered the following prayer:

Our Heavenly Father, we acknowledge Thee as the giver of every good and perfect gift. We come to Thee praying for the gift of wisdom in the deliberation of this hour. Bless our country and make its influence of civic righteousness to be felt throughout the whole world. Lead us constantly in paths of truth and righteousness, and make us Thine. Through Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS

Mr. LONGWORTH. Mr. Speaker, several days ago I asked consent that the House might meet at 11 o'clock this morning for the purpose, as I then stated, of taking up and completing the consideration of the agricultural bill. I think the House has a right to understand that to-day should be given to the consideration of that bill. However, since then the conferees have agreed on a report on the postal increase bill, and they are ready to present their report now. I feel that with the understanding had in the House that it should not be done except by unanimous consent.

Mr. GARRETT of Tennessee. Mr. Speaker, if the gentleman is addressing his remarks to me, I know of no objection to that course being pursued; that is, permitting the conference report to be considered.

Mr. LONGWORTH. I felt that if any gentleman on the floor objected to bringing up that conference report we ought not to do it.

Mr. RAMSEYER. If the gentleman will yield, may I ask how much time does the gentleman figure it will take to dispose of the conference report on the postal pay bill?

Mr. LONGWORTH. The gentleman in charge could answer that.

Mr. PAIGE. Not over half an hour.

Mr. RAMSEYER. Does the gentleman wish to yield some time to some of us who wish to make final observations on the report?

Mr. PAIGE. Certainly.

Mr. RAMSEYER. Does the gentleman think he can get through without the necessity of a roll call? I shall not insist on a roll call, but anybody can raise a point of no quorum and object to the vote on the ground there is no quorum present; but I should very much like to see the agricultural bill disposed of and sent to the Senate. I, however, shall not object to the consideration of this pay bill if some time is going to be given for discussion.

Mr. PURNELL. If the majority leader will yield, I would like to ask the gentleman from Massachusetts in charge of the bill whether or not he has had this matter up with the chairman of the Committee on Agriculture? I did not learn of it until I came in the Chamber.

Mr. PAIGE. I have had it up with the chairman and other members of the committee. I would have seen the gentleman if I had had an opportunity of doing so.

Mr. PURNELL. I suppose the members of the Committee on Agriculture should be the first to be consulted and have a right to object. I do not want to object or stand in the way of the consideration of the postal bill, providing we can have

any assurance it will be gotten out of the way in a reasonable length of time, and I understand we shall then proceed to the consideration of the agricultural bill.

Mr. GARRETT of Tennessee. Mr. Speaker, of course, it will take the usual course of a conference report, and it will be impossible for the gentleman to give any assurance just how long it will take or what motion may be made. Of course, it would be impossible to give any assurance of how long it will take, because there might be a roll call or two. The time of debate of a conference report always remains in the control of the gentleman presenting the conference report.

Mr. PURNELL. With the assurance of the gentleman in charge of the conference report that he will push it as rapidly as possible, I shall not object.

Mr. RANKIN. Mr. Speaker, reserving the right to object, Members who are not present understood that this agricultural bill would be taken up. Does not the gentleman think we ought to have a quorum here?

Mr. LONGWORTH. The gentleman was probably not in the Hall when I began my statement. There is no question but what the House has a right to understand that to-day, from my assurances so far as I could speak, would be given up to the consideration of the agricultural bill, and I think if any Member objects—

Mr. RANKIN. I shall not object; but I am asking if the gentleman does not think we ought to have a roll call to get the Members here?

Mr. GARRETT of Tennessee. I am going to make the point of no quorum.

Mr. LONGWORTH. Then I ask that the House may proceed to the consideration of the conference report on the postal pay bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the House proceed to the consideration of the conference report on the postal pay bill instead of the agricultural bill. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order there is no quorum present. It is clear there is no quorum present—

Mr. LONGWORTH. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 81]

Berger	Evans, Iowa	Lazaro	Romjue
Britten	Fairfield	Lee, Ga.	Salmon
Buckley	Fitzgerald	Lilly	Schafer
Butler	Fleetwood	Logan	Schall
Byrnes, S. C.	Fredericks	McLeod	Scott
Casey	Free	McNulty	Sherwood
Cole, Ohio	Fulbright	McReynolds	Snyder
Colton	Garner, Tex.	McSweeney	Spearing
Connally, Tex.	Gasque	MacGregor	Summers, Tex.
Connolly, Pa.	Hersey	MacLafferty	Sweet
Curry	Hull, Tenn.	Mausfield	Swoope
Davey	Johnson, Wash.	Milligan	Tague
Davis, Minn.	Johnson, W. Va.	Nelson, Wis.	Taylor, Colo.
Davis, Tenn.	Jost	Nolan	Temple
Dempsey	Kendall	O'Sullivan	Tinkham
Dominick	Kent	Parker	Ward, N. C.
Doyle	Kindred	Parks, Ark.	Wertz
Drane	Kunz	Peavey	Winslow
Drewry	Lampert	Roach	Wolff
Eagan	Langley	Rogers, Mass.	Wurzbach
Edmonds	Larson, Minn.	Rogers, N. H.	Zihlman

The SPEAKER. Three hundred and forty-seven Members have answered to their names—a quorum.

Mr. LONGWORTH. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from Ohio moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The doors were opened.

LEAVE TO ADDRESS THE HOUSE TO-MORROW

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that to-morrow, immediately after the reading of the Journal, I may have 10 minutes in which to address the House, out of order.

The SPEAKER. The gentleman from Florida asks unanimous consent to address the House, out of order, to-morrow for 10 minutes immediately after the reading of the Journal. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3011. An act to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof; and

S. 4032. An act authorizing the Department of State to deliver to the Hon. Henry D. Clayton, district judge of the United States for the middle and northern districts of Alabama, and permitting him to accept the decoration and diploma presented by the Government of France.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 35

Resolved by the Senate (the House of Representatives concurring). That the action of the Speaker of the House of Representatives and of the President pro tempore of the Senate in signing the enrolled bill (S. 3760) to amend in certain particulars the national defense act of June 8, 1916, as amended, and for other purposes, be rescinded, and that in the enrollment of said bill the Secretary of the Senate be, and he is hereby, authorized and directed to strike out, on page 5, line 4, the word "commissioner" and insert in lieu thereof the word "commissioned."

SENATE BILL REFERRED

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 3011. An act to amend the act entitled "An act for the retirement of employees in the classified civil service," and for other purposes, approved May 22, 1920, and acts in amendment thereof; to the Committee on the Civil Service.

ENROLLED BILLS SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 11978. An act granting the consent of Congress to the commissioners of McKean County, Pa., to construct a bridge across the Allegheny River;

H. R. 12192. An act to authorize the creation of game refuges on the Ozark National Forest, in the State of Arkansas;

H. R. 8522. An act granting to certain claimants the preference right to purchase unappropriated public lands;

H. R. 11706. An act to authorize the construction of a bridge across the Pend d'Oreille River at or near the Newport-Priest River Road crossing, Washington and Idaho; and

H. R. 9535. An act authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes.

REGULATION OF TRAFFIC IN THE DISTRICT OF COLUMBIA

Mr. REED of West Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill 4207, with House amendments, and ask that the House insist on its amendments and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to take from the Speaker's table the bill S. 4207, with House amendments, insist on the amendments of the House, and agree to the conference asked for by the Senate. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. ZIHLMAN, Mr. GIBSON, Mr. RATHBONE, Mr. BLANTON, and Mr. GILBERT.

POSTAL SALARIES AND POSTAGE RATES

Mr. PAIGE. Mr. Speaker, I call up the conference report on the postal pay bill and ask unanimous consent that the accompanying statement be read in lieu of the report.

The SPEAKER. The gentleman from Massachusetts calls up the conference report and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11444) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide

for such readjustment, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendment, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"TITLE I.—RECLASSIFICATION OF SALARIES OF POSTAL EMPLOYEES

"SECTION 1. That on and after January 1, 1925, postmasters and employees of the Postal Service shall be reclassified and their salaries and compensation readjusted, except as otherwise provided as follows:

"CLASSIFICATION OF POSTMASTERS

"That postmasters shall be divided into four classes, as follows:

"The first class shall embrace all those whose annual salaries are \$3,200 or more.

"The second class shall embrace all those whose annual salaries are less than \$3,200, but not less than \$2,400.

"The third class shall embrace all those whose annual salaries are less than \$2,400, but not less than \$1,100.

"The fourth class shall embrace all postmasters whose annual compensation amounts to less than \$1,100, exclusive of commissions on money orders issued.

"RECLASSIFICATION OF POSTAL SALARIES

"The respective compensation of postmasters of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in semimonthly payments to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the General Accounting Office, or copies of duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, based on gross postal receipts at the following rates, namely:

"First class—\$40,000, but less than \$50,000, \$3,200; \$50,000, but less than \$60,000, \$3,300; \$60,000, but less than \$75,000, \$3,400; \$75,000, but less than \$90,000, \$3,500; \$90,000, but less than \$120,000, \$3,600; \$120,000, but less than \$150,000, \$3,700; \$150,000, but less than \$200,000, \$3,800; \$200,000, but less than \$250,000, \$3,900; \$250,000, but less than \$300,000, \$4,000; \$300,000, but less than \$400,000, \$4,200; \$400,000, but less than \$500,000, \$4,500; \$500,000, but less than \$600,000, \$5,000; \$600,000, but less than \$7,000,000, \$6,000; \$7,000,000 and upward, \$8,000.

"Second class—\$8,000, but less than \$12,000, \$2,400; \$12,000, but less than \$15,000, \$2,500; \$15,000, but less than \$18,000, \$2,600; \$18,000, but less than \$22,000, \$2,700; \$22,000, but less than \$27,000, \$2,800; \$27,000, but less than \$33,000, \$2,900; \$33,000, but less than \$40,000, \$3,000.

"Third class—\$1,500, but less than \$1,600, \$1,100; \$1,600, but less than \$1,700, \$1,200; \$1,700, but less than \$1,900, \$1,300; \$1,900, but less than \$2,100, \$1,400; \$2,100, but less than \$2,400, \$1,500; \$2,400, but less than \$2,700, \$1,600; \$2,700, but less than \$3,000, \$1,700; \$3,000, but less than \$3,500, \$1,800; \$3,500, but less than \$4,200, \$1,900; \$4,200, but less than \$5,000, 2,000; \$5,000, but less than \$6,000, \$2,100; \$6,000, but less than \$7,000, \$2,200; \$7,000, but less than \$8,000, \$2,300: *Provided*, That when the gross postal receipts of a post office of the third class for each of two consecutive calendar years are less than \$1,500, or when in any calendar year the gross postal receipts are less than \$1,400, it shall be relegated to the fourth class: *Provided*, That postmasters at offices of the third class shall be granted for clerk hire an allowance of \$240 per annum where the salary of the postmaster is \$1,100 per annum; an allowance of \$330 per annum where the salary of the postmaster is \$1,200 per annum; an allowance of \$420 per annum where the salary of the postmaster is \$1,300 per annum; an allowance of \$510 per annum where the salary of the postmaster is \$1,400 per annum; an allowance of \$600 per annum where the salary of the postmaster is \$1,500 per annum; an allowance of \$690 per annum where the salary of the postmaster is \$1,600 per annum; an allowance of \$780 per annum where the salary of the postmaster is \$1,700 per annum; an allowance of \$870 per annum where the salary of the postmaster is \$1,800 per annum; an allowance of \$960 per annum where the salary of the postmaster is \$1,900 per annum; an allowance of \$1,050 per annum where the salary of the postmaster is \$2,000 per annum; an allowance of \$1,140 per annum where the salary of the postmaster is \$2,100 per annum; an allowance of \$1,400 per annum where the salary of the postmaster is \$2,200 per annum; an allowance of \$1,600 per annum where the salary of the postmaster is \$2,300 per annum: *Provided, further*, That the Postmaster General may modify these allowances for clerk

hire to meet varying needs, but in no case shall they be reduced by such modification more than 25 per centum: *Provided, however*, That the aggregate of such allowances, as modified, shall not exceed in any fiscal year the aggregate of allowances herein prescribed for postmasters of the third class.

"The allowances for clerk hire made to postmasters of the first, second, and third class post offices by the Postmaster General out of the annual appropriations therefor shall cover the cost of clerical service of all kinds in such post offices, including the cost of clerical labor in the money-order business, and excepting allowances for separating mails at third-class post offices, as provided by law.

"Fourth class.—The compensation of postmasters of the fourth class shall be fixed upon the basis of the whole of the box rents collected at their offices and commissions upon the amount of canceled postage-due stamps and on postage stamps, stamped envelopes, and postal cards canceled, on matter actually mailed at their offices, and on the amount of newspaper and periodical postage collected in money, and on the postage collected in money on identical pieces of third and fourth class matter mailed under the provisions of the act of April 28, 1904, without postage stamps affixed, and on postage collected in money on matter of the first class mailed under provisions of the act of April 24, 1920, without postage stamps affixed, and on amounts received from waste paper, dead newspapers, printed matter, and twine sold, at the following rates, namely:

"On the first \$75 or less per quarter the postmaster shall be allowed 160 per cent on the amount; on the next \$100 or less per quarter, 85 per cent; and on all the balance, 75 per cent, the same to be ascertained and allowed by the General Accounting Office in the settlement of the accounts of such postmasters upon their sworn quarterly returns: *Provided*, That when the total compensation of any postmaster at a post office of the fourth class for the calendar year shall amount to \$1,100, exclusive of commissions on money orders issued, and the receipts of such post office for the same period shall aggregate as much as \$1,500, the office shall be assigned to its proper class on July 1, following, and the salary of the postmaster fixed according to the receipts: *Provided further*, That in no case shall there be allowed any postmaster of this class a compensation greater than \$300 in any one of the first three quarters of the fiscal year, exclusive of money-order commissions, and in the last quarter of each fiscal year there shall be allowed such further sums as he may be entitled to under the provisions of this act, not exceeding for the whole fiscal year the sum of \$1,100, exclusive of money-order commissions: *And provided further*, That whenever unusual conditions prevail the Postmaster General, in his discretion, may advance any post office from the fourth class to the appropriate class indicated by the receipts of the preceding quarter, notwithstanding the proviso which requires the compensation of fourth-class postmasters to reach \$1,100 for the calendar year, exclusive of commissions on money-order business, and that the receipts of such post office for the same period shall aggregate as much as \$1,500 before such advancement is made: *And provided further*, That when the Postmaster General has exercised the authority herein granted, he shall, whenever the receipts are no longer sufficient to justify retaining such post office in the class to which it has been advanced, reduce the grade of such office to the appropriate class indicated by its receipts for the last preceding quarter.

"Sec. 2. That post-office inspectors shall be divided into six grades, as follows: Grade 1—salary, \$2,800; grade 2—salary, \$3,000; grade 3—salary, \$3,200; grade 4—salary, \$3,500; grade 5—salary, \$3,800; grade 6—salary, \$4,000, and there shall be 15 inspectors in charge at \$4,500: *Provided*, That in the readjustment of grades for inspectors to conform to the grades herein provided, inspectors who are now in present grades 1 and 2 shall be included in grade 1; inspectors who are now in present grade 3 shall be included in grade 2; inspectors who are now in present grade 4 shall be included in grade 3; inspectors who are now in present grade 5 shall be included in grade 4; inspectors who are now in present grade 6 shall be included in grade 5; and inspectors who are now in present grade 7 shall be included in grade 6: *Provided further*, That inspectors shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory service in the next lower grade, and not to exceed 35 per centum of the force to grade 6 for meritorious service after not less than one year's service in grade 5; and the time served by inspectors in their present grade shall be included in the year's service required for promotion in the grades provided herein, except as to inspectors in present grade 1.

"Inspectors and supervisory employees of the Railway Mail Service and post offices shall be paid their actual expenses as fixed by law.

"That clerks at division headquarters of post-office inspectors shall be divided into six grades as follows:

"Grade 1—salary, \$1,900; grade 2—salary, \$2,000; grade 3—salary, \$2,150; grade 4—salary, \$2,300; grade 5—salary, \$2,450; grade 6—salary, \$2,600; and there shall be one chief clerk at each division headquarters at a salary of \$3,000: *Provided*, That in the readjustment of grades for clerks at division headquarters to conform to the grades herein provided, clerks who are now in present grade 1 shall be included in grade 1; clerks who are now in present grade 2 shall be included in grade 2; clerks who are now in present grade 3 shall be included in grade 3; clerks who are now in present grade 4 shall be included in grade 4; clerks who are now in present grade 5 shall be included in grade 5; and clerks who are now in present grade 6 shall be included in grade 6: *Provided further*, That clerks at division headquarters shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory service in the next lower grade and not to exceed 35 per centum of the force to grade 6 for meritorious service after not less than one year's service in grade 5, and the time served by clerks in their present grades shall be included in the year's service required for promotion in the grades provided herein: *And provided further*, That whenever in the discretion of the Postmaster General the needs of the service require such action, he is authorized to transfer clerks or carriers in the city City Delivery Service from post offices at which division headquarters of post-office inspectors are located to the position of clerk at such division headquarters after passing a noncompetitive examination at a salary not to exceed \$2,300. After such transfer is made effective clerks so transferred shall be eligible for promotion to the grades of salary provided for clerks at division headquarters of post-office inspectors. Hereafter when any clerk in the office of division headquarters in the post-office inspection service is absent from duty for any cause other than leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk at a rate not to exceed the grade of pay of the clerk absent without pay.

"Sec. 3. That at offices of the second class the annual salaries of assistant postmasters shall be in even hundreds of dollars, based on the gross postal receipts for the preceding calendar year, as follows: \$8,000, but less than \$10,000, \$2,200; \$10,000, but less than \$12,000, \$2,200; \$12,000, but less than \$15,000, \$2,200; \$15,000, but less than \$18,000, \$2,300; \$18,000, but less than \$22,000, \$2,300; \$22,000, but less than \$27,000, \$2,400; \$27,000, but less than \$33,000, \$2,400; \$33,000, but less than \$40,000, \$2,500.

"That at offices of the first class the annual salaries of the employees, other than those in the automatic grades, shall be in even hundreds of dollars, based on the gross postal receipts for the preceding calendar year, as follows:

"Receipts \$40,000, but less than \$50,000—assistant postmaster, \$2,600; superintendent of mails, \$2,400. Receipts \$50,000, but less than \$60,000—assistant postmaster, \$2,600; superintendent of mails, \$2,400. Receipts \$60,000, but less than \$75,000—assistant postmaster, \$2,600; superintendent of mails, \$2,400. Receipts \$75,000, but less than \$90,000—assistant postmaster, \$2,700; superintendent of mails, \$2,500. Receipts \$90,000, but less than \$120,000—assistant postmaster, \$2,700; superintendent of mails, \$2,600; foremen, \$2,500. Receipts \$120,000, but less than \$150,000—assistant postmaster, \$2,800; superintendent of mails, \$2,700; foremen, \$2,500. Receipts \$150,000, but less than \$200,000—assistant postmaster, \$2,900; superintendent of mails, \$2,800; foremen, \$2,500. Receipts \$200,000, but less than \$250,000—assistant postmaster, \$3,000; superintendent of mails, \$2,900; foremen, \$2,500. Receipts \$250,000, but less than \$300,000—assistant postmaster, \$3,100; superintendent of mails, \$3,000; assistant superintendent of mails, \$2,600; foremen, \$2,500. Receipts \$300,000, but less than \$400,000—assistant postmaster, \$3,200; superintendent of mails, \$3,100; assistant superintendent of mails, \$2,600; foremen, \$2,500. Receipts \$400,000, but less than \$500,000—assistant postmaster, \$3,300; superintendent of mails, \$3,200; assistant superintendent of mails, \$2,600; foremen, \$2,500. Receipts \$500,000, but less than \$600,000—assistant postmaster, \$3,500; superintendent of mails, \$3,300; assistant superintendent of mails, \$2,600; foremen, \$2,500; postal cashier, \$2,900; money-order cashier, \$2,600. Receipts \$600,000, but less than \$1,000,000—assistant postmaster, \$3,700; superintendent of mails,

\$3,500; assistant superintendent of mails, \$2,800; foremen, \$2,500; postal cashier, \$3,100; money-order cashier, \$2,800. Receipts \$1,000,000, but less than \$2,000,000—assistant postmaster, \$3,900; superintendent of mails, \$3,700; assistant superintendents of mails, \$2,700, \$2,800, and \$3,100; foremen, \$2,500 and \$2,600; postal cashier, \$3,300; assistant cashiers, \$2,600; money-order cashier, \$3,000; bookkeepers, \$2,400; station examiners, \$2,400. Receipts \$2,000,000, but less than \$3,000,000—assistant postmaster, \$4,000; superintendent of mails, \$3,800; assistant superintendents of mails, \$2,700, \$2,800, \$3,000, and \$3,300; foremen, \$2,500 and \$2,600; postal cashier, \$3,400; assistant cashiers, \$2,600 and \$2,900; money-order cashier, \$3,100; bookkeepers, \$2,400 and \$2,500; station examiners, \$2,600. Receipts \$3,000,000, but less than \$5,000,000—assistant postmaster, \$4,100; superintendent of mails, \$3,900; assistant superintendents of mails, \$2,700, \$2,800, \$3,100, and \$3,500; foremen, \$2,500 and \$2,600; postal cashier, \$3,600; assistant cashiers, \$2,600, \$2,800, and \$3,100; money-order cashier, \$3,300; bookkeepers, \$2,400 and \$2,500; station examiners, \$2,600 and \$2,800. Receipts \$5,000,000, but less than \$7,000,000—assistant postmaster, \$4,300; superintendent of mails, \$4,100; assistant superintendents of mails, \$2,700, \$2,800, \$3,100, and \$3,700; foremen, \$2,500 and \$2,600; postal cashier, \$3,800; assistant cashiers, \$2,600, \$2,900, and \$3,100; money-order cashier, \$3,500; bookkeepers, \$2,400, \$2,500, and \$2,600; station examiners, \$2,600 and \$2,800. Receipts \$7,000,000, but less than \$9,000,000—assistant postmaster, \$4,600; superintendent of mails, \$4,300; assistant superintendents of mails, \$2,700, \$2,800, \$3,100, \$3,500, and \$3,900; foremen, \$2,500 and \$2,600; postal cashier, \$4,000; assistant cashiers, \$2,600, \$2,800, \$3,100, and \$3,400; money-order cashier, \$3,600; bookkeepers, \$2,400, \$2,500, and \$2,600; station examiners, \$2,600 and \$2,800. Receipts \$9,000,000, but less than \$20,000,000—assistant postmasters, \$4,700 and \$4,800; superintendent of mails, \$4,500; assistant superintendents of mails, \$2,800, \$2,900, \$3,100, \$3,500, \$3,700, and \$4,100; foremen, \$2,500, \$2,600, and \$2,700; postal cashier, \$4,100; assistant cashiers, \$2,600, \$2,800, \$3,200, and \$3,600; money-order cashier, \$3,700; bookkeepers, \$2,400, \$2,500, \$2,600, and \$2,800; station examiners, \$2,600 and \$2,800. Receipts \$20,000,000 and upward—assistant postmasters, \$4,800 and \$4,900; superintendent of mails, \$4,700; assistant superintendents of mails, \$2,800, \$2,900, \$3,100, \$3,500, \$3,900, and \$4,100; superintendent of delivery, \$4,700; assistant superintendents of delivery, \$2,800, \$2,900, \$3,100, \$3,500, \$3,900, and \$4,100; foremen, \$2,500, \$2,600, and \$2,700; superintendent of registry, \$4,300; assistant superintendents of registry, \$2,800, \$2,900, \$3,100, \$3,500, and \$4,100; superintendent of money order, \$4,300; assistant superintendent of money order, \$4,100; auditor, \$4,000; postal cashier, \$4,300; assistant cashiers, \$2,600, \$2,800, \$3,100, \$3,300, and \$3,800; money-order cashier, \$3,900; bookkeepers, \$2,400, \$2,600, \$2,800, and \$3,300; station examiners, \$2,600, \$2,800, and \$3,000.

"The salary of superintendents of classified stations shall be based on the number of employees assigned thereto and the annual postal receipts. No allowance shall be made for sales of stamps to patrons residing outside of the territory of the stations. At classified stations each \$25,000 of postal receipts shall be considered equal to one additional employee.

"At classified stations the salary of the superintendent shall be as follows: One and not exceeding 5 employees, \$2,400; 6 and not exceeding 18 employees, \$2,500; 19 and not exceeding 32 employees, \$2,600; 33 and not exceeding 44 employees, \$2,700; 45 and not exceeding 64 employees, \$2,800; 65 and not exceeding 90 employees, \$2,900; 91 and not exceeding 120 employees, \$3,000; 121 and not exceeding 150 employees, \$3,100; 151 and not exceeding 350 employees, \$3,300; 351 and not exceeding 500 employees, \$3,500; 501 or more employees, \$3,800.

"At classified stations having 45 or more employees there shall be assistant superintendents of stations with salaries as follows: Forty-five and not exceeding 64 employees, \$2,400; 65 and not exceeding 90 employees, \$2,500; 91 and not exceeding 120 employees, \$2,600; 121 and not exceeding 150 employees, \$2,700; 151 and not exceeding 350 employees, \$2,900; 351 and not exceeding 500 employees, \$3,100; 501 employees and upward, \$3,400: *Provided*, That not more than two assistant postmasters shall be employed at offices where the receipts are \$9,000,000 and upward: *Provided further*, That at post offices where the receipts are \$14,000,000 but less than \$20,000,000, there shall be a superintendent of delivery whose salary shall be the same as that provided for the superintendent of mails, and assistant superintendents of delivery at the salaries provided for assistant superintendents of mails: *Provided further*, That in fixing the salaries of the postmaster and supervisory employees in the post office at Washington, D. C., the Postmaster General may, in his discretion, add not to exceed 75

per cent to the gross receipts of that office: *Provided further*, That not more than one assistant superintendent of mails, one assistant superintendent of delivery, one assistant superintendent of registry, and one assistant cashier shall be paid the maximum salary provided for these positions, except where receipts are \$9,000,000 and less than \$14,000,000 to which offices two assistant superintendents of mails shall be assigned at the maximum salary, one to be in charge of city delivery: *And provided further*, That State depositories for surplus postal funds and central accounting offices, where the gross receipts are less than \$500,000, and no postal cashier is provided, the employee in charge of such records and adjustments of the accounts shall be allowed an increase of \$200 per annum; if receipts are \$500,000 and less than \$5,000,000, the postal cashier shall be allowed an increase of \$200 per annum: *And provided further*, That at all central accounting offices where the bookkeeper in charge performs the duties of auditor, he shall be designated chief bookkeeper, at a salary equal to that of the assistant cashier of the highest grade at that office: *And provided further*, That when an office advances to a higher grade because of increased gross postal receipts for a calendar year, promotion of all supervisory employees shall be made to the corresponding grade at the higher salary provided for the same titles or designations under the higher classification of the office based on its postal receipts: *And provided further*, That no employee in the supervisory grades shall receive a salary less than \$100 more than that paid to the highest grade of clerk or special clerk: *Provided further*, That in the readjustment of salaries of all employees above the highest grade for special clerks, those at present designated by titles for which more than one grade of salary is provided shall be placed in the same relative grade and designation and receive the increased salary provided in this title.

"Sec. 4. That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into five grades, as follows: First grade—salary, \$1,700; second grade—salary, \$1,800; third grade—salary, \$1,900; fourth grade—salary, \$2,000; fifth grade—salary, \$2,100: *Provided*, That in the readjustment of grades for clerks at first and second class post offices and letter carriers in the City Delivery Service to conform to the grades herein provided, grade 1 shall include present grade 1, grade 2 shall include present grade 2, grade 3 shall include present grade 3, grade 4 shall include present grade 4, and grade 5 shall include present grade 5: *Provided further*, That hereafter substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served on a basis of one year for each 306 days of eight hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1: *And provided further*, That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade. All promotions shall be made at the beginning of the quarter following one year's satisfactory service in the grade: *And provided further*, That there shall be two grades of special clerks, as follows: First grade—salary, \$2,200; second grade—salary, \$2,300: *Provided*, That in the adjustment of grades for special clerks to conform to the grades herein provided special clerk grade 1 shall include present grade 1, and special clerk grade 2 shall include present grade 2: *Provided further*, That in all special clerk promotions the senior competent employee shall have preference: *Provided further*, That printers, mechanics, and skilled laborers, employees of the United States Stamped Envelope Agency at Dayton, Ohio, shall, for the purpose of promotion and compensation, be deemed a part of the clerical force.

"That the pay of substitute, temporary, or auxiliary clerks at first and second class post offices and substitute letter carriers in the City Delivery Service shall be at the rate of 65 cents per hour: *Provided*, That marine carriers assigned to the Detroit River Marine Service shall be paid annual salary of \$300 in excess of the highest salary paid carriers in the City Delivery Service: *Provided further*, That hereafter special clerks, clerks, and laborers in the first and second class post offices and carriers in the City Delivery Service shall be required to work not more than eight hours a day: *Provided further*, That the eight hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duty of the employees shall be regulated accordingly: *Provided further*, That in cases of emergency, or if the needs of the service require, and it is not practicable to employ substitutes, special clerks, clerks, and laborers in first and second

class post offices and carriers in the City Delivery Service can be required to work in excess of eight hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees: *And provided further*, That in computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by 306, the number of working days in the year less all Sundays and legal holidays enumerated in the act of July 28, 1916; the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compensation for such overtime service: *And provided further*, That when the needs of the service require the employment on Sundays and holidays of foremen, special clerks, clerks, carriers, watchmen, messengers, or laborers at first and second class post offices they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year and on 1 day within 30 days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Sundays in the calendar year or on Christmas Day in lieu of compensatory time.

"Sec. 5. That messengers, watchmen, and laborers in first and second class post offices shall be divided into two grades, as follows: First grade, salary, \$1,500; second grade, salary, \$1,600: *Provided*, That watchmen, messengers, and laborers shall be promoted to the second grade after one year's satisfactory service in grade 1: *Provided further*, That the pay of substitute watchmen, messengers, and laborers shall be at the rate of 55 cents per hour.

"Sec. 6. That employees in the motor-vehicle service shall be classified as follows: Superintendents, \$2,400, \$2,600, \$2,800, \$3,000, \$3,400, \$3,600, \$3,800, \$4,000, and \$5,000 per annum; assistant superintendents, \$2,500, \$2,600, and \$2,800 per annum; chiefs of records, \$2,200, \$2,300, \$2,400, \$2,500, \$2,600, \$2,800, and \$3,000; chiefs of supplies, \$2,200, \$2,300, and \$2,400; chief dispatchers, \$2,300 and \$2,500; route supervisors, \$2,400, \$2,500, and \$2,600; dispatchers, \$2,100, \$2,200, and \$2,300; chief mechanics, \$2,400, \$2,500, \$2,600, \$2,800, and \$3,000; mechanics in charge, \$2,200, \$2,300, and \$2,400; and special mechanics, \$2,100, \$2,200, and \$2,300: *Provided*, That assistant superintendents shall not be authorized at offices where the salary of the superintendent is less than \$3,000 per annum.

"That general mechanics employed in the motor-vehicle service shall be divided into three grades: First grade, salary, \$1,900; second grade, salary, \$2,000; third grade, salary, \$2,100; and clerks employed in the motor-vehicle service shall be divided into five grades as follows: First grade, salary, \$1,700; second grade, salary, \$1,800; third grade, salary, \$1,900; fourth grade, salary, \$2,000; fifth grade, salary, \$2,100: *Provided*, That in the readjustment of grades for clerks in the motor-vehicle service to conform to the grades above provided, grade 1 shall include present grade 1, grade 2 shall include present grade 2, grade 3 shall include present grade 3, grade 4 shall include present grade 4, and grade 5 shall include present grade 5: *Provided*, That general mechanics employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the third grade, and clerks employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade, at the respective offices where employed, and promotion shall be made at the beginning of the quarter following one year's satisfactory service in the grade: *Provided further*, That at first-class post offices there shall be two grades of special clerks in the motor-vehicle service—grade 1, salary, \$2,200; grade 2, salary, \$2,300: *Provided further*, That in the readjustment of grades for special clerks to conform to the grades herein provided, special clerk, grade 1, shall include present special clerk, grade 1, and special clerk, grade 2, shall include present special clerk, grade 2.

"Mechanics' helpers employed in the motor-vehicle service shall receive a salary of \$1,600 per annum: *Provided*, That on satisfactory evidence of their qualifications after one year's service mechanics' helpers shall be promoted to the first grade of general mechanics as vacancies may occur.

"That driver-mechanics employed in the motor-vehicle service shall be divided into five grades: First grade, salary, \$1,600; second grade, salary, \$1,700; third grade, salary, \$1,800; fourth grade, salary, \$1,900; fifth grade, salary, \$2,000; and garagemen-drivers employed in the motor-vehicle service shall be divided into two grades: First grade, salary, \$1,550; second grade, salary, \$1,650: *Provided*, That in the readjustment

of salaries provided for in this title all driver-mechanics shall be classified in the respective grades as follows: Those with less than one year's service shall be placed in grade 1; those with more than one year's service and less than two years' service shall be placed in grade 2; those with more than two years' service and less than three years' service shall be placed in grade 3; those with more than three years' service and less than four years' service shall be placed in grade 4; those with more than four years' service shall be placed in grade 5; *Provided further*, That driver-mechanics employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade at the respective offices where employed; *Provided further*, That garagemen-drivers in the motor-vehicle service shall be promoted after one year's satisfactory service in the first grade to the second grade at the respective offices where employed, and promotions of driver-mechanics and garagemen-drivers shall be made at the beginning of the quarter following one year's satisfactory service in the grade.

"That the pay of substitute, temporary, or auxiliary employees in the motor-vehicle service shall be as follows: Special mechanics at the rate of 75 cents per hour; general mechanics at the rate of 70 cents per hour; clerks and driver-mechanics at the rate of 65 cents per hour; and garagemen-drivers at the rate of 55 cents per hour.

"That special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service shall be required to work not more than eight hours a day; *Provided*, That the eight hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duties of the employees shall be regulated accordingly; *Provided further*, That in cases of emergency, or if the needs of the service require, special clerks, clerks, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service can be required to work in excess of eight hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees; *Provided further*, That in computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by 306, the number of working days in the year less all Sundays and legal holidays enumerated in the act of July 28, 1916; the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compensation for such overtime service; *Provided further*, That when the needs of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within 30 days next succeeding the holiday and the last three Sundays in the year on which service is performed; *Provided, however*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays.

"SEC. 7. That the annual salaries of employees of the Railway Mail Service shall be as follows: Division superintendents, \$4,500; assistant division superintendents and assistant superintendents at large, \$3,600; assistant superintendent in charge of car construction, \$3,300; chief clerks, \$3,300; assistant chief clerks, \$2,800; *Provided*, That the clerks in charge of sections in the offices of the division superintendents shall be rated as assistant chief clerks at \$2,800 salary.

"That railway postal clerks shall be divided into two classes, class A and class B, and into seven grades with annual salaries as follows: Grade 1, salary \$1,900; grade 2, salary \$2,000; grade 3, salary \$2,150; grade 4, salary \$2,300; grade 5, salary \$2,450; grade 6, salary \$2,600; grade 7, salary \$2,700.

"Laborers in the Railway Mail Service shall be divided into two grades with annual salaries as follows: Grade 1, salary \$1,500; grade 2, salary, \$1,600.

"Laborers shall be promoted to grade 2 after one year's satisfactory service in grade 1; *Provided*, That in the readjustment of the service to conform to the grades herein provided for laborers, grade 1 shall include laborers in present grade 1, and grade 2 shall include laborers in present grade 2.

"Substitute railway postal clerks shall be paid for services actually performed at the rate of \$1,850 per annum, the first year of service to constitute a probationary period, and when appointed regular clerks shall receive credit on the basis of one

year of actual service performed as a substitute and be appointed to the grade to which such clerk would have progressed had his original appointment as a substitute been to grade 1. Any fractional part of a year's substitute service will be included with his service as a regular clerk in determining eligibility for promotion to the next higher grade following appointment to a regular position.

"All original appointments shall be made to the rank of substitute railway postal clerk, and promotions shall be made successively at the beginning of the quarter following a total satisfactory service of 306 days in the next lower grade.

"In the readjustment of the service to conform to the grades herein provided, grade 1 shall include clerks in present grade 1, grade 2 shall include clerks in present grade 2, grade 3 shall include clerks in present grade 3, grade 4 shall include clerks in present grade 4, grade 5 shall include clerks in present grade 5, and grade 6 shall include clerks in present grade 6.

"That hereafter, in addition to the salaries provided by law, the Postmaster General is hereby authorized to make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, assigned to duty in railway post-office cars, while on duty, after 10 hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such an allowance exceed \$3 per day.

"Substitute railway postal clerks shall be credited with full time while traveling under orders of the department to and from their designated headquarters to take up an assignment, together with actual and necessary travel expenses, not to exceed \$3 per day, while on duty away from such headquarters. When a substitute clerk performs service in a railway post office starting from his official headquarters he shall be allowed travel expenses under the law applying to clerks regularly assigned to the run.

"Railway post-office lines shall be divided into two classes, class A and class B, and clerks assigned to class A lines shall be promoted successively to grade 4 and clerks in charge to grade 5. Clerks assigned to class B lines shall be promoted successively to grade 5 and clerks in charge to grade 6; *Provided*, That lines in present class A shall be continued in class A, and lines in present class B shall be continued in class B.

"Terminal railway post offices shall be divided into two classes, class A and class B; those having less than 20 employees shall be assigned to class A, and those having 20 or more employees shall be assigned to class B. Clerks in class A terminals shall be promoted successively to grade 4, and clerks in charge of tours to grade 5. Clerks in class B terminals shall be promoted successively to grade 5, and clerks in charge of tours to grade 6.

"Transfer offices shall be divided into two classes, class A and class B; those having less than five employees shall be assigned to class A, and those having five or more employees to class B. Clerks in class A shall be promoted successively to grade 4, and clerks in charge of tours to grade 5. Clerks in class B shall be promoted successively to grade 5, and clerks in charge of tours to grade 6.

"Clerks assigned to the office of division superintendent or chief clerk shall be promoted successively to grade 4, and in the office of division superintendent four clerks may be promoted to grade 5 and eight clerks to grade 6, and in the office of chief clerk one clerk may be promoted to grade 5 and two clerks to grade 6.

"Examiners shall be promoted successively to grade 6 and assistant examiners to grade 5 whether assigned to the office of division superintendent or chief clerk; *Provided*, That service of clerks shall be based on an average of not exceeding 8 hours daily for 306 days per annum, including proper allowances for all service required on lay-off periods. Clerks required to perform service in excess of eight hours daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time at their option for such overtime. Railway postal clerks assigned to terminal railway post offices and transfer offices and laborers in the Railway Mail Service shall not be required to work more than 8 hours a day, and that the 8 hours of service shall not extend over a longer period than 10 consecutive hours, and that in cases of emergency, or if the needs of the service require, they may be required to work in excess of 8 hours a day, and for such additional service they shall be paid in proportion to their salaries as fixed by law.

"That clerks assigned to road duty shall be credited with full time for delay to trains equal to the period of time between the scheduled arrival and actual arrival of the train at destination of run.

"That section 3 of the act approved June 19, 1922 (41 Stat. p. 600), providing for leaves of absence of employees in the Postal Service, be amended by adding the following proviso: 'Provided, That hereafter not exceeding 5 days of the 15 days' annual leave with pay, exclusive of Sundays and holidays, granted to railway postal clerks assigned to road duty each fiscal year may be carried over to the succeeding fiscal year.'

"RURAL MAIL DELIVERY SERVICE

"SEC. 8. That the salary of carriers in the Rural Mail Delivery Service for serving a rural route of 24 miles six days in the week shall be \$1,800; on routes 22 miles and less than 24 miles, \$1,728; on routes 20 miles and less than 22 miles, \$1,650; on routes 18 miles and less than 20 miles, \$1,440; on routes 16 miles and less than 18 miles, \$1,200; on routes 14 miles and less than 16 miles, \$1,080; on routes 12 miles and less than 14 miles, \$1,008; on routes 10 miles and less than 12 miles, \$936; on routes 8 miles and less than 10 miles, \$864; on routes 6 miles and less than 8 miles, \$792; on routes 4 miles and less than 6 miles, \$720. Each rural carrier assigned to a route on which daily service is performed shall receive \$30 per mile per annum for each mile said route is in excess of 24 miles or major fraction thereof, based on actual mileage, and each rural carrier assigned to a route on which triweekly service is performed shall receive \$15 per mile for each mile said route is in excess of 24 miles or major fraction thereof, based on actual mileage.

"Deductions for failure to perform service on a standard rural delivery route for 24 miles and less shall not exceed the rate of pay per mile for service for 24 miles and less; and deductions for failure to perform service on mileage in excess of 24 miles shall not exceed the rate of compensation allowed for such excess mileage.

"In addition to the salary herein provided, each carrier in Rural Mail Delivery Service shall be paid for equipment maintenance a sum equal to 4 cents per mile per day for each mile or major fraction of a mile scheduled. Payments for equipment maintenance as provided herein shall be at the same periods and in the same manner as payments for regular compensation to rural carriers.

"A rural carrier serving one triweekly route shall be paid a salary and equipment allowance on the basis of a route one-half the length of the route served by him. A rural carrier serving two triweekly routes shall be paid a salary and equipment allowance on the basis of a route one-half of the combined length of the two routes.

"SEC. 9. That the salary of requisition fillers and packers in the division of equipment and supplies shall be as follows: One foreman, \$2,100 per annum; 10 requisition fillers and 9 packers, at \$1,800 each per annum.

"SEC. 10. That the pay of carriers in the village delivery service, under such rules and regulations as the Postmaster General may prescribe, shall be from \$1,150 to \$1,350 per annum. The pay of substitute letter carriers in the village delivery service shall be at the rate of 50 cents per hour.

"SEC. 11. Employees in the Postal Service shall be granted 15 days' leave of absence with pay, exclusive of Sundays and holidays, each fiscal year, and sick leave with pay at the rate of 10 days a year, exclusive of Sundays and holidays, to be cumulative, but no sick leave with pay in excess of 30 days shall be granted during any one fiscal year. Sick leave shall be granted only upon satisfactory evidence of illness in accordance with regulations to be prescribed by the Postmaster General.

"The 15 days' leave shall be credited at the rate of 1 1/4 days for each month of actual service.

"Whenever an employee herein provided for shall have been reduced in salary for any cause, he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year.

"Whenever the promotion of an employee herein provided for is withheld because of unsatisfactory service, such employee may be promoted at the beginning of the second quarter thereafter, or of any subsequent quarter, on evidence that his record has been satisfactory during the intervening period.

"Hereafter when the needs of the service require the employment on Sundays or holidays of laborers or railway postal clerks at terminal railway post offices and transfer offices, they shall be allowed compensatory time on one day within six days

next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within 30 days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Sundays in the calendar year or on Christmas Day in lieu of compensatory time.

"All employees herein provided for in automatic grades who have not reached the maximum grades to which they are entitled to progress automatically, shall be promoted at the beginning of the quarter following the completion of one year's satisfactory service since their last promotion, regardless of any increases in salaries granted them by the provisions of this title.

"The Postmaster General may, when the interest of the service requires, transfer any clerk to the position of carrier or any carrier to the position of clerk and interchange the clerical force between the post office and the motor-vehicle service, such transfer or interchange to be made to the corresponding grade and salary of the clerk or carrier transferred or interchanged.

"Substitute clerks in first and second class post offices and the Railway Mail Service and substitute letter carriers in the City Delivery Service when appointed regular clerks, railway postal clerks, or carriers shall have credit for actual time served on a basis of one year for each 306 days of eight hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1.

"Postal employees and substitute postal employees who served in the military, marine, or naval service of the United States during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military, marine, or naval service on the basis of one day's credit of eight hours in the Postal Service for each day served in the military, marine, or naval service, and be promoted to the grade to which such postal employee or substitute postal employee would have progressed had his original appointment as substitute been to grade 1. This provision shall apply to such postal employees and substitute postal employees who were in the Postal Service on October 1, 1920.

"No employee in the Postal Service shall be reduced in rank or salary as a result of the provisions of this title.

"SEC. 12. That the sums appropriated for salaries and compensation of postmasters and employees of the Postal Service in the act making appropriations for the fiscal year ending June 30, 1925, approved April 4, 1924, shall be available for the payment of salaries and compensation of postmasters and postal employees at the rates of pay herein provided; and such additional sums as may be necessary are hereby authorized to be appropriated to carry out the provisions of this title.

"INCONSISTENT ACTS REPEALED

"SEC. 13. All acts and parts of acts inconsistent or in conflict with this title are hereby amended or repealed.

"TITLE II.—POSTAL RATES

"FIRST-CLASS MATTER

"PRIVATE MAILING CARDS

"SEC. 201. The rate of postage on private mailing cards described in the act entitled 'An act to amend the postal laws relating to use of postal cards,' approved May 19, 1898, shall be 2 cents each.

"SECOND-CLASS MATTER

"SEC. 202. (a) In the case of publications entered as second-class matter (including sample copies to the extent of 10 per cent of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by news agents to actual subscribers thereto, or to other news agents for the purpose of sale—

"(1) The rate of postage on that portion of any such publication devoted to matter other than advertisements shall be 1 1/2 cents per pound or fraction thereof;

"(2) On that portion of any such publication devoted to advertisements the rates per pound or fraction thereof for delivery within the eight postal zones established for fourth-class matter shall be as follows:

"For the first and second zones, 2 cents, and third zone, 3 cents.

"For the fourth, fifth, and sixth zones, 6 cents.

"For the seventh and eighth zones, and between the Philippine Islands and any portion of the United States, including the District of Columbia and the several Territories and possessions, 9 cents;

"(3) The rate of postage on newspapers or periodicals maintained by and in the interests of religious, educational, scientific, philanthropic, agricultural, labor, or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, shall be 1½ cents per pound or fraction thereof, and the publisher of any such newspaper or periodical, before being entitled to such rate, shall furnish to the Postmaster General, at such times and under such conditions as the Postmaster General may prescribe, satisfactory evidence that none of the net income of such organization or association inures to the benefit of any private stockholder or individual.

"(b) Where the space devoted to advertisements does not exceed 5 per cent of the total space, the rate of postage shall be the same as if the whole of such publication was devoted to matter other than advertisements.

"(c) The rate of postage on daily newspapers and on the periodicals and newspapers provided for in this section when deposited in a letter-carrier office for delivery by its carriers, shall be the same as now provided by law, and nothing in this act shall affect existing law as to free circulation and existing rates on second-class mail matter within the county of publication. The Postmaster General may hereafter require publishers to separate or make up to zones, in such a manner as he may direct, all mail matter of the second class when offered for mailing.

"(d) With the first mailing of each issue of each such publication, the publishers shall file with the postmaster a copy of such issue, together with a statement containing such information as the Postmaster General may prescribe for determining the postage chargeable thereon.

"SEC. 203. The rate of postage on publications entered as second-class matter, when sent by other than the publisher or news agent, shall be 2 cents for each 2 ounces or fraction thereof for weights not exceeding 8 ounces, and for weights of such matter exceeding 8 ounces the rates of postage prescribed for fourth-class matter shall be applicable thereto.

"SEC. 204. Where the total weight of any one edition or issue of any such publication mailed to any one zone does not exceed 1 pound, the rate of postage shall be 1 cent.

"SEC. 205. The zone rates provided in section 202 of this title shall relate to the entire bulk mailed to any one zone and not to individually addressed packages.

"THIRD-CLASS MATTER

"SEC. 206. (a) Mail matter of the third class shall include books, circulars, and other matter wholly in print (except newspapers and other periodicals entered as second-class matter), proof sheets, corrected proof sheets, and manuscript copy accompanying same, merchandise (including farm and factory products), and all other mailable matter not included in the first or second class, or in the fourth class as defined in section 207.

"(b) The rate of postage thereon shall be 1½ cents for each 2 ounces or fraction thereof, up to and including 8 ounces in weight, except that the rate of postage on books, catalogues, seeds, cuttings, bulbs, roots, scions, and plants, not exceeding 8 ounces in weight, shall be 1 cent for each 2 ounces or fraction thereof.

"(c) The written additions permissible under existing law on mail matter of either the third or fourth class shall be permissible on either of these classes as herein defined without discrimination on account of classification.

"FOURTH-CLASS MATTER

"SEC. 207. (a) Mail matter of the fourth class shall weigh in excess of 8 ounces, and shall include books, circulars, and other matter wholly in print (except newspapers and other periodicals entered as second-class matter), proof sheets, corrected proof sheets, and manuscript copy accompanying same, merchandise (including farm and factory products), and all other mailable matter not included in the first or second class, or in the third class as defined in section 206.

"(b) That on fourth-class matter the rate of postage shall be by the pound as established by and in conformity with the act of August 24, 1912, and in addition thereto there shall be a service charge of 2 cents for each parcel, except upon parcels or packages collected on rural delivery routes, to be prepaid by postage stamps affixed thereto, or as otherwise prescribed by the regulations of the Postmaster General.

"Whenever, in addition to the postage as hereinbefore provided, there shall be affixed to any parcel of mail matter of the fourth-class postage of the value of 25 cents with the words 'Special handling' written or printed upon the wrapper, such parcel shall receive the same expeditious handling, transportation, and delivery accorded to mail matter of the first class.

"The classification of articles mailable, as well as the weight limit, the rates of postage, zone or zones and other conditions of mailability under this section if the Postmaster General shall find on experience that they or any of them are such as to prevent the shipment of articles desirable, or to permanently render the cost of the service greater than the receipts of the revenue therefrom, he is hereby directed, subject to the consent of the Interstate Commerce Commission after investigation, to reform from time to time such classifications, weight limit, rates, zone or zones or conditions, or either, in order to promote the service to the public or to insure the receipt of revenue from such service adequate to pay the cost thereof.

"(c) That during the twelve months next succeeding the approval of this act, the Postmaster General be, and he is hereby, authorized to conduct experiments in the operation of not more than fifty rural routes, in localities to be selected by him; said experiments shall be designed primarily to develop and to encourage the transportation of food products directly from producers to consumers or vendors, and, if the Postmaster General shall deem it necessary or advisable during the progress of said experiments, he is hereby authorized, in his discretion, on such number or all of said routes as he may desire, to reduce to such an extent as he may deem advisable the rate of postage on food products mailed directly on such routes for delivery at the post offices from which such routes start, and to allow the rural carriers thereon a commission on the postage so received at such rate as the Postmaster General may prescribe, which commission shall be in addition to the carriers' regular salaries. The amounts due the carriers for commissions shall be determined under rules and regulations to be prescribed by the Postmaster General directly from the postal revenues: *Provided*, That the amount so paid shall in no case exceed the actual amount of revenue derived from this experimental service.

"A report on the progress of this experiment shall be made to Congress at the next regular session.

"MONEY ORDERS

"SEC. 208. Section 3 of the act entitled 'An act to modify the postal money-order system, and for other purposes,' approved March 3, 1883, as amended, is amended to read as follows:

"SEC. 3. A money order shall not be issued for more than \$100, and the fees for domestic orders shall be as follows:

- "For orders not exceeding \$2.50, 5 cents.
- "For orders exceeding \$2.50 and not exceeding \$5, 7 cents.
- "For orders exceeding \$5 and not exceeding \$10, 10 cents.
- "For orders exceeding \$10 and not exceeding \$20, 12 cents.
- "For orders exceeding \$20 and not exceeding \$40, 15 cents.
- "For orders exceeding \$40 and not exceeding \$60, 18 cents.
- "For orders exceeding \$60 and not exceeding \$80, 20 cents.
- "For orders exceeding \$80 and not exceeding \$100, 22 cents.

"REGISTERED MAIL

"SEC. 209. (a) The first sentence of section 3927 of the Revised Statutes is amended to read as follows:

"SEC. 3927. Mail matter shall be registered only on the application of the party posting the same, and the fees therefor shall not be less than 15 nor more than 20 cents in addition to the regular postage, to be, in all cases, prepaid; and all such fees shall be accounted for in such manner as the Postmaster General shall direct.

"(b) Notwithstanding the provisions of such section as amended, the Postmaster General may fix the fee for registered mail matter at any amount less than 20 cents.

"SEC. 210. Section 3928 of the Revised Statutes, as amended, is amended to read as follows:

"SEC. 3928. Whenever the sender shall so request, and upon payment of a fee of 3 cents, a receipt shall be taken on the delivery of any registered mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery.

"INSURANCE AND COLLECT-ON-DELIVERY SERVICES

"SEC. 211. (a) The fee for insurance shall be 5 cents for indemnification not to exceed \$5; 8 cents for indemnification not to exceed \$25; 10 cents for indemnification not to exceed \$50; and 25 cents for indemnification not to exceed \$100. Whenever the sender of an insured article of mail matter shall so request, and upon payment of a fee of 3 cents, a receipt shall be taken on the delivery of such insured mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery.

"(b) The fee for collect-on-delivery service shall be 12 cents for collections not to exceed \$10; 15 cents for collections not to exceed \$50; and 25 cents for collections not to exceed \$100.

"(c) The provisions of the act entitled 'An act to extend the insurance and collect-on-delivery service to third-class mail, and for other purposes,' approved June 7, 1924, and of section 8 of the act entitled 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' approved August 24, 1912, with respect to the insurance and collect-on-delivery services, are hereby continued in force.

"SPECIAL DELIVERY

"SEC. 212. (a) To procure the immediate delivery of mail matter weighing more than 2 pounds and not more than 10 pounds, stamps of the value of 15 cents shall be affixed (in addition to the regular postage), and for the special delivery thereof 11 cents may be paid to the messenger or other person making such delivery.

"(b) To procure the immediate delivery of mail matter weighing more than 10 pounds, stamps of the value of 20 cents shall be affixed (in addition to the regular postage), and for the special delivery thereof 15 cents may be paid to the messenger or other person making such delivery.

"(c) For the purposes of this section the Postmaster General is authorized to provide and issue special-delivery stamps of the denominations of 15 and 20 cents.

"SEC. 213. The act entitled 'An act making certain changes in the postal laws,' approved March 2, 1907, is amended to read as follows:

"That when, in addition to the stamps required to transmit any letter or package of mail matter through the mails, there shall be attached to the envelope or covering ordinary postage stamps of any denomination equivalent to the value fixed by law to procure the immediate delivery of any mail matter, with the words "special delivery" or their equivalent written or printed on the envelope or covering, under such regulations as the Postmaster General may prescribe, said letter or package shall be handled, transmitted, and delivered in all respects as though it bore a regulation special-delivery stamp."

"SEC. 214. The Postmaster General is hereby authorized to continue the work of ascertaining the revenues derived from and the cost of carrying and handling the several classes of mail matter and of performing the special services, and to state the results annually as far as practicable and pay the cost thereof out of the appropriation for inland transportation by railroad routes.

"REPEALS

"SEC. 215. The following acts and parts of acts are hereby repealed:

"(a) Sections 1101 to 1106, inclusive, of the revenue act of 1917;

"(b) The act entitled 'An act fixing the rate of postage to be paid upon mail matter of the second class when sent by persons other than the publisher or news agent,' approved June 9, 1884; and

"(c) The act entitled 'An act to amend an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes," approved March 9, 1914,' approved April 24, 1914.

"EFFECTIVE DATE

"SEC. 216. This title, except section 217, shall become effective on April 15, 1925.

"SEC. 217. A special joint subcommittee is hereby created to consist of three members of the Committee on Post Offices and Post Roads of the Senate and three members of the Committee on the Post Office and Post Roads of the House, to be appointed by the respective chairmen of said committees. The said special joint subcommittee is authorized and directed to hold hearings prior to the beginning of the first regular session of the Sixty-ninth Congress, to sit in Washington or at any other convenient place, and to report during the first week of the first regular session of the Sixty-ninth Congress, by bill, its recommendations for a permanent schedule of postal rates. Said special joint subcommittee is hereby authorized to administer oaths, to send for persons or papers, to employ necessary clerks, accountants, experts, and stenographers, the latter to be paid at a cost not exceeding 25 cents per 100 words; and the expense attendant upon the work of said special joint subcommittee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon voucher of its chairman. This section shall become effective upon the enactment of this act.

"TABLE III.—FEDERAL CORRUPT PRACTICES ACT, 1925

"SEC. 301. This title may be cited as the 'Federal corrupt practices act, 1925.'

"SEC. 302. When used in this title—

"(a) The term 'election' includes a general or special election, and, in the case of a Resident Commissioner from the Philippine Islands, an election by the Philippine Legislature, but does not include a primary election or convention of a political party;

"(b) The term 'candidate' means an individual whose name is presented at an election for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

"(c) The term 'political committee' includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors (1) in two or more States, or (2) whether or not in more than one State if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association, or organization;

"(d) The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution;

"(e) The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift, of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure;

"(f) The term 'person' includes an individual, partnership, committee, association, corporation, and any other organization or group of persons;

"(g) The term 'Clerk' means the Clerk of the House of Representatives of the United States;

"(h) The term 'Secretary' means the Secretary of the Senate of the United States;

"(i) The term 'State' includes Territory and possession of the United States.

"SEC. 303. (a) Every political committee shall have a chairman and a treasurer. No contribution shall be accepted, and no expenditure made, by or on behalf of a political committee for the purpose of influencing an election until such chairman and treasurer have been chosen.

"(b) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

"(1) All contributions made to or for such committee;

"(2) The name and address of every person making any such contribution, and the date thereof;

"(3) All expenditures made by or on behalf of such committee; and

"(4) The name and address of every person to whom any such expenditure is made, and the date thereof.

"(c) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure by or on behalf of a political committee exceeding \$10 in amount. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items.

"SEC. 304. Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the name and address of the person making such contribution, and the date on which received.

"SEC. 305. (a) The treasurer of a political committee shall file with the Clerk between the 1st and 10th days of March, June, and September, in each year, and also between the tenth and fifteenth days, and on the fifth day, next preceding the date on which a general election is to be held, at which candidates are to be elected in two or more States, and also on the 1st day of January, a statement containing, complete as of the day next preceding the date of filing—

"(1) The name and address of each person who has made a contribution to or for such committee in one or more items of the aggregate amount or value, within the calendar year, of \$100 or more, together with the amount and date of such contribution;

"(2) The total sum of the contributions made to or for such committee during the calendar year and not stated under paragraph (1);

"(3) The total sum of all contributions made to or for such committee during the calendar year;

"(4) The name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of \$10 or more has been made by or on behalf of such committee, and the amount, date, and purpose of such expenditure;

"(5) The total sum of all expenditures made by or on behalf of such committee during the calendar year and not stated under paragraph (4);

"(6) The total sum of expenditures made by or on behalf of such committee during the calendar year.

"(b) The statements required to be filed by subdivision (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

"(c) The statement filed on the 1st day of January shall cover the preceding calendar year.

"SEC. 306. Every person (other than a political committee) who makes an expenditure in one or more items, other than by contribution to a political committee, aggregating \$50 or more within a calendar year for the purpose of influencing in two or more States the election of candidates, shall file with the Clerk an itemized detailed statement of such expenditure in the same manner as required of the treasurer of a political committee by section 305.

"SEC. 307. (a) Every candidate for Senator shall file with the Secretary and every candidate for Representative, Delegate, or Resident Commissioner shall file with the Clerk not less than 10 nor more than 15 days before, and also within 30 days after, the date on which an election is to be held, a statement containing, complete as of the day next preceding the date of filing—

"(1) A correct and itemized account of each contribution received by him or by any person for him with his knowledge or consent, from any source, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person who has made such contribution;

"(2) A correct and itemized account of each expenditure made by him or by any person for him with his knowledge or consent, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person to whom such expenditure was made; except that only the total sum of expenditures for items specified in subdivision (c) of section 309 need be stated;

"(3) A statement of every promise or pledge made by him or by any person for him with his consent, prior to the closing of the polls on the day of the election, relative to the appointment or recommendation for appointment of any person to any public or private position or employment for the purpose of procuring support in his candidacy, and the name, address, and occupation of every person to whom any such promise or pledge has been made, together with the description of any such position. If no such promise or pledge has been made, that fact shall be specifically stated.

"(b) The statements required to be filed by subdivision (a) shall be cumulative, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

"(c) Every candidate shall inclose with his first statement a report, based upon the records of the proper State official, stating the total number of votes cast for all candidates for the office which the candidate seeks, at the general election next preceding the election at which he is a candidate.

"SEC. 308. A statement required by this title to be filed by a candidate or treasurer of a political committee or other person with the Clerk or Secretary, as the case may be—

"(a) Shall be verified by the oath or affirmation of the person filing such statement, taken before any officer authorized to administer oaths;

"(b) Shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk or Secretary at Washington, D. C., but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the Clerk or Secretary of its nonreceipt;

"(c) Shall be preserved by the Clerk or Secretary for a period of two years from the date of filing, shall constitute a part of the public records of his office, and shall be open to public inspection.

"SEC. 309. (a) A candidate, in his campaign for election, shall not make expenditures in excess of the amount which he may lawfully make under the laws of the State in which he

is a candidate, nor in excess of the amount which he may lawfully make under the provisions of this title.

"(b) Unless the laws of his State prescribe a less amount as the maximum limit of campaign expenditures, a candidate may make expenditures up to—

"(1) The sum of \$10,000 if a candidate for Senator, or the sum of \$2,500 if a candidate for Representative, Delegate, or Resident Commissioner; or

"(2) An amount equal to the amount obtained by multiplying 3 cents by the total number of votes cast at the last general election for all candidates for the office which the candidate seeks, but in no event exceeding \$25,000 if a candidate for Senator or \$5,000 if a candidate for Representative, Delegate, or Resident Commissioner.

"(c) Money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or expended for his necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed by paragraph (1) or (2) of subdivision (b) as the limit of campaign expenses of a candidate.

"SEC. 310. It is unlawful for any candidate to directly or indirectly promise or pledge the appointment, or the use of his influence or support for the appointment of any person to any public or private position or employment, for the purpose of procuring support in his candidacy.

"SEC. 311. It is unlawful for any person to make or offer to make an expenditure, or to cause an expenditure to be made or offered, to any person, either to vote or withhold his vote, or to vote for or against any candidate, and it is unlawful for any person to solicit, accept, or receive any such expenditure in consideration of his vote or the withholding of his vote.

"SEC. 312. Section 118 of the act entitled 'An act to codify, revise, and amend the penal laws of the United States,' approved March 4, 1909, is amended to read as follows:

"SEC. 118. It is unlawful for any Senator or Representative in, or Delegate or Resident Commissioner to, Congress, or any candidate for, or individual elected as, Senator, Representative, Delegate, or Resident Commissioner, or any officer or employee of the United States, or any person receiving any salary or compensation for services from money derived from the Treasury of the United States, to directly or indirectly solicit, receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any other such officer, employee, or person."

"SEC. 313. It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution in connection with any election to any political office, or for any corporation whatever to make a contribution in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to, Congress are to be voted for, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. Every corporation which makes any contribution in violation of this section shall be fined not more than \$5,000; and every officer or director of any corporation who consents to any contribution by the corporation in violation of this section shall be fined not more than \$1,000, or imprisoned not more than one year, or both.

"SEC. 314. (a) Any person who violates any of the foregoing provisions of this title, except those for which a specific penalty is imposed by sections 312 and 313, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

"(b) Any person who willfully violates any of the foregoing provisions of this title, except those for which a specific penalty is imposed by sections 312 and 313, shall be fined not more than \$10,000 and imprisoned not more than two years.

"SEC. 315. This title shall not limit or affect the right of any person to make expenditures for proper legal expenses in contesting the results of an election.

"SEC. 316. This title shall not be construed to annul the laws of any State relating to the nomination or election of candidates, unless directly inconsistent with the provisions of this title, or to exempt any candidate from complying with such State laws.

"SEC. 317. If any provision of this title or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

"SEC. 318. The following acts and parts of acts are hereby repealed: The act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected,' approved June 25, 1910 (ch. 392, 36 Stat. p. 822), and the acts amendatory thereof, approved August 19, 1911 (ch. 33, 37 Stat. p. 25), and August 23, 1912 (ch. 349, 37 Stat. p. 360); the act entitled 'An act to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress,' approved October 16, 1918 (ch. 187, 40 Stat. p. 1013); and section 83 of the Criminal Code of the United States, approved March 4, 1909 (ch. 321, 35 Stat. p. 1088).

"SEC. 319. This title shall take effect 30 days after its enactment" and a period; and the Senate agree to the same.

CALVIN D. PAIGE,
M. CLYDE KELLY,

Managers on the part of the House.

GEO. H. MOSES,
L. C. PHIPPS,

Managers on the part of the Senate.

We agree to the foregoing report with the exception of the 2 cents service charge on parcel-post packages. To this item of the bill and the report we dissent.

THOMAS M. BELL,
Manager on the part of the House.

KENNETH MCKELLAR,
Manager on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11444) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes, submit the following detailed statement in explanation of the effect of the action agreed upon and recommended in the conference report filed herewith.

The Senate struck out everything after the enacting clause of the House bill and substituted therefor its bill. The House receded from its disagreement to the Senate amendment with an amendment. Inasmuch as the House bill and the Senate substitute were identical in many respects, the effect of this action by the conference committee is to restore many of the provisions of the House bill and to retain the similar provisions of the Senate substitute. The differences between the two bills and the bill as agreed to in conference are as follows:

TITLE I

The House bill provided that on and after January 1, 1925, postmasters and employees of the Postal Service should be reclassified and their salaries and compensation readjusted. The Senate substitute changed this date to July 1, 1924. The bill as agreed to in conference restores the language of the House bill.

There were no other changes made by the Senate substitute in Title I of the House bill.

TITLE II

Section 201 of the Senate substitute, relating to drop letters and subdivisions (a) and (b) of section 202 relating to postal cards and double postal cards, respectively, were not in the House bill and are stricken out of the bill as agreed to in conference. Subdivision (c) of section 202 of the Senate substitute was identical with section 201 of the House bill, and the bill as agreed to in conference restores this section of the House bill.

In paragraph (1) of subdivision (a) of section 202 the House bill provided a rate of postage of "1½ cents per pound, or fraction thereof," upon that portion of second-class publications devoted to matter other than advertising. The Senate bill prescribed "1¼ cents per pound." The bill as agreed to in conference restores the language of the House bill.

In paragraph (2) of subdivision (a) of section 202 of the House bill a rate of 3 cents per pound or fraction thereof was provided for the first, second, and third zones in the case of that portion of second-class publications devoted to advertisements. The Senate substitute provided: "For the first and second zones, 2 cents; and third zone, 3 cents." The bill as agreed to in conference adopts the language of the Senate substitute.

In paragraph (2) of subdivision (a) of section 202 of the House bill a rate of 9 cents per pound was provided for the seventh and eighth zones. The Senate substitute reduced this

rate to 8 cents. The bill as agreed to in conference restores the rate in the House bill.

The last paragraph of subdivision (a) of section 202 of the House bill provided a rate of 1½ cents per pound, or fraction thereof, on newspapers and periodicals maintained by and in the interests of certain religious, educational, and fraternal organizations not organized for profit. The Senate substitute made this paragraph a proviso of the paragraph which provided a rate for the seventh and eighth zones. The bill as agreed to in conference restores the rate of the House bill and makes this paragraph a new paragraph numbered (3).

Subdivision (d) of section 203 of the Senate substitute was not in the House bill. It authorizes a publisher or registered news agent to mail portions of second-class publications under fourth-class rates. The bill as agreed to in conference eliminates this subdivision.

Subdivision (b) of section 206 of the House bill provided that the rate of postage on third-class matter should be "1½ cents for each 2 ounces or fraction thereof, up to and including 8 ounces." The Senate substitute changed this rate to "1 cent for each ounce or fraction thereof, up to and including 4 ounces." The bill as agreed to in conference restores the language of the House bill.

Subdivision (a) of section 207 of the House bill provided that fourth-class mail matter should weigh in excess of 8 ounces. The Senate substitute (sec. 208) reduced this to 4 ounces. The bill as agreed to in conference restores the language of the House bill.

In subdivision (b) of section 207 of the House bill, there was a provision for a service charge for each parcel of fourth-class matter, except those collected on rural routes. The Senate substitute contained no such provision. The bill as agreed to in conference restores the provisions of the House bill.

Section 214 of the House bill authorized the Postmaster General to continue his cost ascertained investigation. The Senate substitute contained no such provision. The bill as agreed to in conference restores the provision of the House bill.

Section 216 of the House bill provided that Title II should become effective on May 1, 1925. The Senate substitute changed this date to April 15, 1925, and added the following language: "and the rates and fees herein provided shall not apply beyond February 15, 1926, at which date the rates and fees in force next prior to the passage of this act shall become again operative unless Congress in the meantime shall otherwise determine." The bill as agreed to in conference makes the effective date April 15, 1925, but eliminates the above language of the Senate substitute.

TITLE III

Title III of the Senate substitute adds the "Federal corrupt practices act," which was in the original bill vetoed by the President. The House bill contained no such provisions. The bill as agreed to in conference adopts the provisions of the Senate substitute, with certain typographical and clerical corrections.

CALVIN D. PAIGE,
M. CLYDE KELLY,
Managers on the part of the House.

Mr. GARRETT of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Tennessee. My parliamentary inquiry is this: What is the proper time to move to recommit the conference report if it be desired to make such a motion?

The SPEAKER. The Chair thinks any time the gentleman can get the floor he would have the right to make it. He would have the right to the floor after the gentlemen in charge of the bill have performed such functions as they wish to in regard to the bill. Of course the Chair would first be obliged to recognize the gentleman in charge of the conference report.

Mr. GARRETT of Tennessee. Of course I understand that perfectly. The only thing is that we want to preserve the right to make the motion to recommit.

The SPEAKER. The Chair thinks the gentleman will have that right. Whenever the gentlemen in charge of the bill have entered whatever motion they intend to make the Chair will recognize the gentleman.

Mr. PAIGE. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

The SPEAKER. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. KELLY. Mr. Speaker and Members of the House, the measure under consideration has traveled a rocky road, but the journey's end will be worth the journey's cost.

The House sent to conference a measure raising \$61,000,000. The Senate met us with a bill providing \$23,000,000 in revenue. We bring back to you a bill raising \$59,000,000. [Applause.]

Those Members of this House who believe that the right to originate postal rate legislation is the exclusive right of the House may well be gratified with this conference report, because we have written the postage rates carried in this bill. [Applause.]

This measure, as agreed to in conference, in every particular contains the House rates as passed by the House, with the exception of one rate. That is the second-class rate on first and second zones applying to periodical publications. In our bill we had a 3-cent rate for first and second zones. The Senate bill carried the present rate of 2 cents, and the House conferees were obliged to yield in order to get an agreement at all. Every other postage rate is exactly the same as the House provided. The salary title is word for word the salary title of the House, and includes the feature of the salary schedules beginning January 1, 1925, instead of July 1, 1924, as provided in the Senate bill. Some consideration was given to fixing the date later than January 1, but such action would have made the report void as being beyond the authority of the conferees.

Now, Mr. Speaker, we maintain the House rate of 2 cents on private mailing cards and picture post cards, instead of 1 cent at present. This is the only rate which touches first-class mail and will bring in a revenue of \$10,000,000.

Second class, as I have said, contains exactly the House provisions, with the exception of the rate on the first and second zones. The Senate bill on second-class matter meant a loss from present revenues of \$1,600,000. The conference report means increased revenues over the present receipts of about \$1,500,000. The zones beyond the third zone carry the rates fixed in the House measure.

As to third-class rates, the Senate had a provision fixing the limit of regular third-class matter at 4 ounces in weight with a rate of 1 cent per ounce. This would have resulted in revenues of \$3,000,000. The House carried a weight limit of 8 ounces and fixed the rate at 1½ cents for each 2 ounces, with the exception of books, catalogues, seeds, cuttings, and so forth, which are given a rate of 1 cent for 2 ounces up to 8 ounces. This provision will raise \$18,000,000 in revenue. It will be a most beneficial provision in that it wipes out the present inconsistencies in third and fourth class matters. Under it all merchandise, printed matter, and so forth, under 8 ounces, will be classified as third class and all over 8 ounces as fourth class.

Mr. Speaker, the fourth-class mail matter received more consideration than any other by the conferees. The Post Office Department originally urged approximately \$13,000,000 from parcel-post increases. The Senate bill did not provide a single cent from this source, which comprises 64 per cent of the weight of the mails. The House bill provided a 2-cent parcel fee on all parcels, which will raise in revenues \$13,600,000. The conference report carries this provision exactly as the House wrote it.

Mr. BURTNESS. Mr. Speaker, will the gentleman yield?

Mr. KELLY. Yes.

Mr. BURTNESS. How does that compare with the parcels post loss as given by the cost ascertainment?

Mr. KELLY. The report gave \$7,000,000 as the loss, but no one who studies the cost ascertainment report and the allotment of expenses can possibly agree with that figure as the loss on parcel post.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. LONGWORTH. I do not know whether I exactly understand the gentleman. Does he say that a 1 cent increase on parcel post will raise \$13,000,000?

Mr. KELLY. No; 2 cents. We have a provision in the bill for a 2-cent parcel post fee on all parcel post that raises \$13,000,000 in additional revenues.

Mr. BURTNESS. Will the gentleman yield for a further question?

Mr. KELLY. Yes.

Mr. BURTNESS. Apparently this sop to the farmers of not adding 2 cents to parcel post originating on rural delivery routes is still maintained. What is the reason for that provision? Why should the farmer who gives his package to the rural carrier pay less than the farmer who puts it into the town post office or hauls it to the post office and sends it from there?

Mr. KELLY. I understand the gentleman and will answer his question. There is a very good reason for the exemption of the 2-cent parcel post fee on packages of food products originating on rural routes. The parcel post was designed to aid the farmer in sending food products direct to the city

consumer. It has been completely transformed until it has become a subsidy for the great mail-order houses. The mail-order houses of this country are making millions on the rates at present in force. We believe rates on their merchandise should be sufficient to pay the cost of the service. We are trying to encourage the original idea; we are trying to have food products shipped directly from producer to consumer, and in order to bring that about we are giving that exemption of 2 cents.

Now, Mr. Speaker, those who have been urging that this parcel post fee is a burden to the farmer are completely ignorant of the facts of the situation. At the present time there is a loss to postal revenues of \$9 for every family on every rural route in America. That is paid out of postal revenues or from the General Treasury. We provide that where packages come in for delivery on rural routes a fee of 2 cents shall be paid. That means 30 cents a year for each family on a rural route. Even with this service charge of 2 cents there will be a dead loss of \$8.70 a year for every family on every rural route. And, as I have stated, we have made an exemption on all parcels originating on rural routes in an effort to encourage the direct shipment of food products from farm to pantry.

Let no one be deceived about the farmer and the parcel post. It is one of the astounding things about the Postal Service that the farmers are not using the parcel post to any large degree. Less than 10 per cent of all these parcel-post packages are collected and delivered on rural routes. We believe this parcel fee of 2 cents is the fairest provision in the bill. It will not bring the parcel post up to a self-sustaining basis. In my estimation, after careful study, there is a loss at present in parcel post of \$30,000,000 a year. Last August the Post Office Department proposed a bill increasing parcel-post revenues by that sum. The great mail-order houses know that figure is not an overstatement.

Mr. CARTER. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. CARTER. How much loss is there on second-class mail?

Mr. KELLY. The cost-ascertainment report contains a figure on second-class mail, and that figure is \$74,000,000. But in that is included the loss resulting from the policy of Congress in sending a great quantity of second-class mail free. There is the policy, adopted by Congress, of sending county newspapers free, which results in a loss of \$7,000,000 a year, without a single cent in return. Then we have adopted the policy of giving religious papers and scientific papers, and so forth, not published for profit at a rate of 1½ cents a pound, a flat rate for everything, advertising and reading matter. No one should contend that you should count those two items in the loss that is sustained in carrying second-class mail. Besides there is a 1½-cent rate for papers carrying less than 5 per cent of advertising. All these are losses due to deliberate policy of Congress. Those losses can not be charged against second-class mail that pays regular rates of postage.

Mr. CARTER. How much of that loss is made up by the increased revenues provided in the bill on second-class mail?

Mr. KELLY. One million five hundred thousand dollars additional revenue, at the lowest estimate, will be raised from these rates on all second-class matter. The Senate had a loss of \$1,600,000 over present revenues. We secured their agreement to rates, making an increase over their bill of \$3,000,000.

Mr. CARTER. How much did the gentleman say the loss on parcel post was?

Mr. KELLY. I stated there is a difference of opinion. The cost ascertainment says \$7,000,000, but they leave out of consideration the cost of the great terminals, which have been built for parcel-post mail.

Mr. CARTER. How much of that loss in parcel post is recouped by the additional charges in this bill?

Mr. KELLY. There will be \$13,000,000 raised on the 2-cent parcel-post fee, and the loss on it is, without any exaggeration whatever, \$30,000,000 a year.

Mr. CARTER. Then you raise how many million dollars?

Mr. KELLY. Thirteen million dollars on parcel post.

Mr. CARTER. Of the \$30,000,000 you raise \$13,000,000 on parcel post, and yet with respect to second-class mail matter you only undertake to raise \$1,900,000 out of the \$74,000,000 of loss.

Mr. KELLY. The \$74,000,000 can not be accepted as the loss because of these congressional policies I have already mentioned. In addition to that, there is another thing to be considered. The House conferees urged the conference to agree to a 3-cent rate in the first and second zones, but it would not

raise anything like \$74,000,000, and no one would seriously urge that anything like that sum could or should be raised from second-class mail.

Mr. CARTER. How much would it raise?

Mr. KELLY. About \$2,700,000. If you will look into what has been done as to postal rates since 1913 you will find that first class has never been touched at all in this period of lessened purchasing power of the dollar. You will find that third class has not been touched at all, and you will find that fourth class has been reduced about 50 per cent since 1913, while second-class rates have gone up 127 per cent since 1913.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. PAIGE. Mr. Speaker, I yield five minutes more to the gentleman from Pennsylvania.

Mr. RATHBONE. Will the gentleman yield?

Mr. KELLY. I yield to my friend from Illinois.

Mr. RATHBONE. Do I understand correctly that the country newspapers of local circulation will not have any additional burden imposed upon them through this report?

Mr. KELLY. There will be no increase under this report. The rates for the first and second zones, which apply to smaller newspapers, remain the same. The free-in-county privilege and the 1-cent a pound rate in city-delivery offices are the same as at present.

Mr. BROWNING. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. BROWNING. I understood the gentleman to account for \$33,000,000 of the loss by reason of certain congressional policies, which would mean that the deficit is \$41,000,000, which is the amount remaining of the \$74,000,000, not including congressional policies, and yet from second-class matter you only raise one and a half million dollars additional, but you raise the parcel post \$13,000,000, when that only showed a deficit of \$7,000,000.

Mr. KELLY. The \$41,000,000 proposition is another matter that requires still further consideration. In that amount is included \$34,000,000 alleged loss on rural routes. Rural routes to-day are losing \$56,000,000 a year, and in the cost-ascertainment report \$34,000,000 is charged to second class. Of course, putting that much of a burden on one class because of the loss on the rural routes can not be justified.

Mr. WINGO. Will the gentleman yield?

Mr. KELLY. Yes.

Mr. WINGO. There was so much confusion in the House that I do not know that I understood the gentleman's statement as to details, and I want to see if I have the correct conclusion from the gentleman's statement. As I gather, especially from the opening statement of the gentleman, the gentleman congratulates the House upon being so successful in increasing the burden on the users of the Postal Service in order to do justice to employees, is that true?

Mr. KELLY. I stated that the House bill was accepted almost in its entirety and said it was cause for felicitation by the House.

Mr. WINGO. And the gentleman congratulates the House upon the fact that the House has won a fight to increase the burden on the postal users to a point higher than the Senate tried to increase it.

Mr. KELLY. I take it for granted that the House would rather have its own rates than the Senate rates, and the Senate rates, of course, would have made it impossible to enact this bill into law.

Mr. WINGO. I notice, and it is a matter of common knowledge, that the general revenues of the Government are so great that we are going to have an unwieldy surplus, and one Republican authority says we can have another 25 per cent cut right away in the taxes. If that is true, why increase the burden on the users of the Postal Service at a time when the general revenues show a surplus?

Mr. KELLY. The gentleman knows as well as I do the contingencies that we have had to consider. There was a time when we might have debated the question of providing revenues, but that time is past.

Mr. WINGO. Does the gentleman refer to the political contingency of saving the face of our friend, the President, in his fight against the postal salary increase?

Mr. KELLY. Well, to oblige my friend, I will explain a little further what I mean by contingencies.

Mr. JEFFERS. Will the gentleman yield?

Mr. KELLY. Not just now.

There was a time when we properly debated the proposition of enacting a salary bill without providing additional revenue, but when the Senate refused to override the President's veto that question vanished into an abstraction without practical

interest. Then we were compelled to provide the revenue in the bill to meet the cost of the salary increase, and the House undertook to do that honestly and sincerely. We did that and we held to it in conference. I have never been an advocate of the policy of putting postage rates and postal salaries together in one measure, but the situation compelled us to do the best we could, and the postage rates which we present to you are fair and are evenly proportioned, as far as they can be under the time limit that we had.

Mr. Speaker, there are 350,000 postal employees vitally concerned in this report. They are getting a wage now that is less than they received in 1896, according to the purchasing power of the dollar, and far less than they received in 1912 in purchasing power. This bill brings their pay back to the 1913 standard. There is really no increase, because this simply brings the salaries back, in purchasing power, to what they were in 1913. No just man can object to that proposal.

It is now universally agreed that salary schedules must go with the rate schedules, and I hope nobody in the House will believe we can recommit this conference report back to conference and expect to have a salary bill passed. That would be impossible, and this bill must be accepted if we are to give the justly merited increase to the postal employees. I can assure you that the bill can be defended anywhere in the United States as a fair measure.

Mr. JEFFERS. Will the gentleman yield now?

Mr. KELLY. Yes.

Mr. JEFFERS. Why does the gentleman say that the Senate increase in the rates would make a bill impossible?

Mr. KELLY. The Senate rates were such that no President of the United States, I care not who he might be, having vetoed a bill because there were no revenue provisions to approximate the cost of the salary schedules, could do anything else but veto the Senate bill without stultifying himself. He could not accept revenues of \$23,000,000 on a salary increase of \$68,000,000 if he desired revenues at all, and I understand from the best information I can get that this bill raising \$59,000,000 meets the President's request that we provide approximately the necessary revenues. [Applause.] This bill when in force will produce the revenues, and in 1926 it will produce a surplus, the first surplus in nine years. [Applause.]

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

Mr. PAIGE. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. BELL].

Mr. BELL. Mr. Speaker, I have no inclination whatever to debate this question other than to make some statements with reference to the difference between the rates as passed by the House and the rates as reported by the conference committee.

The gentleman from Pennsylvania [Mr. KELLY] has just told you that the increased salaries for postal employees under the conference report is effective as of January 1, 1925, which is true. The bill as it passed the Senate provided that these increases should begin July 1, 1924. This change, as estimated by the Post Office Department, makes a saving under the Senate bill of \$34,000,000; that is, the cost to the Government would be \$34,000,000 if the increases were retroactive to July 1, 1924, instead of January 1, 1925.

As was stated, there is no change in the rates on first-class matter except on post cards. The existing law provides for 1-cent postage on picture post cards. We changed that to make it 2 cents on the post cards. The estimate of the Post Office Department is that this will bring in a revenue amounting to \$10,000,000 a year. As a member of the Post Office Committee and of the conference committee I have had but one protest from the manufacturers of these postal cards, and evidently they are satisfied with the increase.

There is no change in the rates on second-class matter in the first, second, and third zones. There is only a small increase in the fourth and fifth zones. This, I understand from the Post Office Department, instead of bringing in a revenue of \$1,500,000, as stated by the gentleman from Pennsylvania, will increase the revenue only \$524,128.

Mr. KELLY. Mr. Speaker, will the gentleman yield?

Mr. BELL. Yes.

Mr. KELLY. I stated that from the second class there would be a million and a half.

Mr. BELL. I did not notice that. I want now to say something with reference to fourth-class matter, and that is the parcel-post matter. The Senate is committed on two different occasions to a 1-cent service charge on parcels instead of 2 cents, as provided in the conference report. They have voted twice on this proposition carrying a 1-cent charge instead of a 2-cent charge. It is estimated by the Post Office Department

that to make a 2-cent service charge on each parcel will bring in a revenue of \$13,600,000. The House, of course, had a different view of it; but, as I say, the Senate has agreed upon this twice, and, incidentally, the third time. I believe a 1-cent service charge on parcel post is sufficient. The statement that the President might veto this on account of a 1-cent charge instead of a 2-cent charge should not have any effect upon us, so far as our vote here is concerned. [Applause.]

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield?

Mr. BELL. Yes.

Mr. LINTHICUM. Why could they not have increased this parcel-post charge by making it pro rata instead of a flat charge of 2 cents on every package?

Mr. BELL. My idea is that that was done as an emergency, in order to meet the President's view, to bring in a revenue sufficient to warrant him in signing the bill.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. KINCHELOE. Mr. Speaker, I ask the gentleman from Massachusetts to yield the gentleman one minute more.

Mr. PAIGE. I yield the gentleman one minute more.

Mr. KINCHELOE. If there is a 1-cent charge on these parcel-post packages, is it not a fact that that itself will make the parcel post self-sustaining?

Mr. BELL. I think there is no doubt about that. To reduce it to 1 cent as a service charge will reduce the revenues under this bill only \$6,800,000.

Mr. KINCHELOE. And is it not a fact that if the 2-cent charge is made it will bring in a revenue of \$13,000,000 and more, and as the parcel post was carried last year at a loss of \$6,000,000 that would mean a surplus of over \$7,000,000?

Mr. BELL. That is true.

Following is a summary of changes made by our conference committee and the effect upon postal revenues:

The conference on the disagreeing votes of the two Houses on the bill (H. R. 11444) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes, has reached an agreement under which the House recedes from its disagreement to the amendment of the Senate and agrees to the same with an amendment which strikes out the Senate amendment and offers in lieu thereof the text printed in the conference report, the effect of which is to harmonize the differences in the Senate and House proposals in certain particulars, as follows:

In Title I of the bill, which relates to postal salaries, as passed by the House, the Senate recedes and agrees to make the increased salaries effective as of January 1, 1925, instead of July 1, 1924. The total cost of six months' back pay under the increases proposed is estimated by the department to be approximately \$34,000,000. The annual cost of the increase in salaries is estimated to be approximately \$68,000,000.

FIRST-CLASS MATTER

In Title II of the bill, which relates to postal rates, the Senate recedes from its proposal to reduce the drop-letter rate to 1 cent, and agrees to strike out the provision relating to postal cards which carries the same rates on postal cards as the existing law, so that there is no change in first-class postal rates except an increase of 1 cent on private mailing cards, making the rate 2 cents instead of 1 cent, on which latter rate there is no difference in the two bills. The increased revenue to be derived from the new rate is estimated at \$10,000,000.

SECOND-CLASS MATTER

The postal rate on the reading portion of publications entered as second-class matter is $1\frac{1}{2}$ cents per pound or fraction thereof in the House bill. The Senate recedes from its proposal to reduce the rate to $1\frac{1}{4}$ cents and agrees to the rate proposed by the House. This restores the existing law, so there is no increase or decrease in revenue from that source.

On the provision relating to the advertising portion of publications entered as second-class matter, the Senate insists on its amendment, making the rate 2 cents in the first and second zones and 3 cents in the third zone, agrees to the rate of 6 cents for the fourth, fifth, and sixth zones, and recedes and agrees to the 9-cent rate in the seventh and eighth zones. The increased revenue to be derived from this source under the House bill was estimated at \$2,299,686. The increased revenue to be derived from the provision as agreed upon in conference is estimated at \$223,000.

On religious, educational, scientific, philanthropic, agricultural, labor, and fraternal newspapers and periodicals, the Senate recedes and agrees to the House rate of $1\frac{1}{4}$ cents instead of $1\frac{1}{2}$ cents, which is an increase of a quarter of a cent

per pound or fraction thereof over the present rate. The increased revenue expected to be derived from this provision is estimated at \$275,000.

The Senate recedes from its amendment authorizing the shipment of publications entered as second-class matter under the rates prescribed for fourth-class matter. This agreement involves no difference in revenue.

THIRD-CLASS MATTER

The Senate recedes and agrees to the rate of $1\frac{1}{2}$ cents for each 2 ounces up to and including 8 ounces in weight, instead of 1 cent for each ounce up to and including 4 ounces in weight. The effect of this section is to put all mail matter not included in the first or second class, or in the fourth class as defined in the next section, weighing up to 8 ounces, into the third class at a rate of $1\frac{1}{2}$ cents for each 2 ounces, instead of 1 cent for each ounce. The increased revenue to be derived under this section is estimated at \$18,000,000.

FOURTH-CLASS MATTER

The Senate recedes and agrees to the House provision placing parcel-post mail weighing more than 8 ounces into the fourth class. The Senate bill included all parcels weighing over 4 ounces. The Senate also recedes and agrees to the 2-cent service charge on parcel-post packages. The special charge is estimated to produce \$13,600,000. If this special-service charge is made 1 cent instead of 2 cents, the revenue to be derived will be reduced by one-half, or \$6,800,000.

CONTINUING COST ASCERTAINMENTS

The Senate also recedes and agrees to section 214 of the House bill, authorizing the continuance of the work of ascertaining the revenues and cost of carrying and handling mail matter and performing of special services.

EFFECTIVE DATE

The House recedes and agrees that the increased postal rates shall become effective on April 15, 1925, instead of May 1, 1925; and the Senate recedes and agrees that the rates shall be permanent.

FEDERAL CORRUPT PRACTICES ACT

The House recedes and agrees to Title III, the so-called Cable amendment, entitled "Federal corrupt practices act, 1925."

Total amount to be derived from increased revenues as estimated by the department by the bill, H. R. 11444, as it passed the House	\$61,524,202
Reduction by reason of conference agreement to reduce rate from 3 cents to 2 cents in the first and second zones on newspapers and magazines (publishers and news agents)	2,775,558
Total	58,748,644

PARCEL POST

Reduction of special fee on parcels from 2 to 1 cents will involve	6,800,000
Total	51,948,644

From the above it will be seen that to make a service charge of 1 cent instead of 2, on parcel-post packages, it will bring the revenues within \$10,000,000 of the necessary amount to pay for increases for postal employees and, I believe, this amount will be absorbed by the normal increase in postal revenues in one year.

Mr. PAIGE. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. RAMSEYER].

Mr. RAMSEYER. Mr. Speaker and gentlemen of the House, I have appeared before this House on the postal pay and rate bill a number of times. I do not know that there is anything that I can add to what I have heretofore said. I realize that there is nothing that I can say to-day that will change the attitude of the House on this conference report. What I am hoping for and what I am undertaking to impress now is that the principles for which I have stood will some time in the near future determine the course of Congress in the enactment of pay legislation and rate legislation directly affecting the Post Office Department.

As you know, one reason for my opposition to the pay bill during the last Congress was because it did not provide for any revenue. Ever since the postal salary increase bill of 1920 left a large deficit in the Post Office Department I have strenuously contended that the Post Office Department should be self-sustaining.

Our National Government in its proprietary capacity owns and operates the Post Office Department and through that department sells services to the public. Some governments also own and operate railroads, telegraph and telephone lines, and

other public utilities, and sell through such utilities services to the public.

It should require no argument to sustain the proposition that the Postal Service should be conducted and kept on a self-sustaining basis. By self-sustaining I mean that the receipts from the Postal Service, on the whole, should equal the expenditures for the service. No account is taken of the capital invested, interest, or depreciation on property used in the Postal Service. Last year the postal deficit was \$30,000,000, which had to be made up by taxation. If the users of the mail had been required to pay what the service actually cost there would have been no deficit for the taxpayers to make up.

If the Government owned and operated the railroads, who should pay for the operation and maintenance of the railroads—the users of the freight and passenger services or the general taxpayers? There is but one answer to this question. There is no more reason why the Government should operate the Post Office Department at a loss than it should operate the railroads under Government ownership at a loss. Therefore, I have urged in Congress that the users of the different classes of mail and the various postal services should pay the Government what it costs to handle the different classes of mail and perform the various services.

Whatever services a government renders as proprietor—whether through the post office or railroads or telephone and telegraph lines—should be paid for by the users of those services and not by the taxpayers. This is simply applying business methods to a business conducted by the Government.

When I contend that the Postal Service should be self-sustaining, I am not announcing a new doctrine. So far as I know that has been the aim of every Postmaster General. No sensible business man can or will controvert the proposition that the Postal Service should be self-sustaining. What has aroused discussion on this proposition is the fact that in 1920 Congress increased the salaries of postal employees without any corresponding increase in postal receipts. Again last year Congress undertook to increase the postal employees' salaries nearly \$70,000,000, without any attempt to provide for additional postal receipts. One reason for my opposition to that bill was to impress upon Members of Congress and the public the necessity for cooperation between Congress and the Postmaster General to place the Postal Service on a self-sustaining basis.

From a business standpoint I contend that Congress has no right to vote additional expenditures on the Postal Service without providing for additional receipts from the service. I know it is popular to vote expenditures and unpopular to vote additional receipts to take care of such expenditures. If Congress has not the courage to run the Post Office Department on a business basis, which is simply "more business in government," what would become of the taxpayers if the duty of running the railroads devolved on Congress, especially just a few months before election when much larger and better organized groups of employees would be demanding immediate salary increases?

To keep the Postal Service on a self-sustaining basis requires not only good business sense but courage. The groups which demand increased expenditures are seldom concerned about who pays the bills. When the Government conducts business at a loss the burden falls on the backs of the great mass of unorganized taxpayers who have a right to expect that their Congressmen will have both the intelligence and courage to look after their business in a businesslike way.

One thing that has been accomplished in this fight, in which I have been an humble participant, is that there is a bill before you now for the increase of the salaries of postal employees which carries in it nearly sufficient revenue to take care of the increased expenditures for the salaries provided in the bill. That will tend to place the Post Office Department on a self-sustaining basis. For that I do not take any particular credit to myself. The chief credit for that accomplishment is due to the firm and courageous stand of the President in vetoing the bill and his insistence—at least it is so reported—that he will not approve any salary increase bill for the postal employees that does not provide for revenue to meet the increased expenditures on the department.

The outstanding objection which I stressed against this bill in my second minority report, and I also voiced my objections in a speech against this bill when it was up for consideration in the House a few weeks ago, was that the fixing or making of postage rates on fourth class or parcel post mail, third-class matter, and on that portion of second-class matter devoted to advertising and now subject to zone rates, should be placed in some nonpolitical expert body. There is no more reason why Congress should undertake to fix rates on parcel post, for in-

stance, than there is for Congress to fix rates on freight and express. Congress in its wisdom has placed the power of fixing passenger, freight, and express rates in the Interstate Commerce Commission.

We have heard a number of speeches lately and will hear some more to-morrow respecting a Senate amendment to repeal the Pullman surcharge. Lately the Interstate Commerce Committee of this House held a hurried hearing and almost unanimously reported to this House that the Pullman surcharge question is not a matter for Congress to deal with, and that whatever the merits of the question involving the Pullman surcharge are, the Interstate Commerce Commission and not Congress should settle it. With that position I agree, but this House is about to do to-day the very thing against which the House Interstate Commerce Committee has advised; that is, to pass on a matter which should be left to the Interstate Commerce Commission.

Under the law the rates on parcel post are fixed by the Postmaster General and the Interstate Commerce Commission. The rates now in force were fixed by the Postmaster General and the Interstate Commerce Commission. The Postmaster General and the Interstate Commerce Commission still have the power to fix rates on parcel post, and if those rates need readjusting those officials should proceed to make the proper readjustment. But to-day you are voting out of the hands of the Interstate Commerce Commission the fixing of rates on parcel post. To-morrow when the Pullman surcharge question comes up you will be on your feet condemning those who speak and vote for taking the Pullman surcharge rates out of the hands of the Interstate Commerce Commission.

I have insisted that the rates on parcel post should be left with the Interstate Commerce Commission and that they should not be brought into Congress to be made the football of politics. I am not quibbling about whether the service charge on parcel-post packages should be 1 cent or 2 cents. If you are going to pass this bill, I want the bill to carry the revenue as nearly as possible to make up for the extra expenditures on the Post Office Department. I am against Congress taking the parcel-post rates out of the hands of the Interstate Commerce Commission, but you are going to vote to do that very thing to-day. It will be very interesting to see this House reverse itself to-morrow on the Pullman surcharge. To-day you will approve with enthusiasm what to-morrow you will condemn with vehemence.

Mr. STEVENSON. Will the gentleman yield?

Mr. RAMSEYER. I will.

Mr. STEVENSON. Is the gentleman entirely sure we are going to repudiate that doctrine to-morrow on this question of the Pullman surcharge?

The SPEAKER. The time of the gentleman has expired.

Mr. PAIGE. I yield the gentleman two additional minutes.

Mr. RAMSEYER. Well, we will see what happens to-morrow. Of course, the position of those gentlemen who contend for a repeal of the Pullman surcharge by Congress is just as logical as the position of the gentlemen who will vote for this conference report to-day.

There are some inequalities and inequities in the bill. I am not going into detail. I shall print in the RECORD at this place the gain and loss on the different classes of mail and the various postal services as disclosed by the cost ascertainment. In the last column I show the additional receipts from the different classes of mail and various postal services which the bill before you will produce.

	Gain	Loss	Additional receipts under bill
First class.....	\$80,417,716.32		\$10,000,000
Second class.....			
Publishers.....		\$74,712,868.67	524,128
Transient.....			1,000,000
Third class.....		16,291,575.48	18,000,000
Fourth class.....		6,916,753.82	16,000,000
Insurance service.....		1,145,939.46	3,058,147
C. O. D. service.....		1,825,437.39	1,103,879
Money order.....		9,540,511.17	3,582,490
Registry service.....		10,374,013.81	3,980,000
Special delivery.....		121,907.34	900,000
Total.....			58,748,044

You will notice that on the first-class mail, which is now carried at a profit of over \$80,000,000, the bill places an addition of \$10,000,000. Third-class mail and fourth-class mail each under this bill will produce receipts in excess of the losses on those classes. Second-class mail, which is carried at a loss of over \$74,000,000, has only \$524,128 placed on the pub-

lishers. The Members of this Congress, in view of the tremendous loss in second-class matter, have indeed been truly and benevolently generous to the publishers. The publishers can very appropriately turn to Congress and with heartfelt appreciation say, with the sweet singer of Israel, "Thy love to me was wonderful, passing the love of women."

The Postal Service is now conducted at a loss. That is inexcusable, and must be remedied. There are four classes of mail. Only first-class or letter mail is carried at a profit. Fourth-class or parcel-post mail, third-class mail, and that portion of second-class or newspaper mail devoted to advertisements, and now subject to zone rates, should pay the cost of the service rendered. Likewise the charges for the various postal service—except franked and penalty matter and free for the blind—should be sufficient to pay the cost thereof. The profit on first-class mail will more than take care of the unavoidable loss on a portion of second-class mail and a few of the minor services.

I hope that you men will consider for the future the advisability of placing the rate-fixing power on fourth-class matter, third-class matter, and that portion of second-class matter devoted to advertising, and now subject to zone rates, which are even more complicated than freight rates or express rates, in the hands of some nonpolitical expert body, with directions that, on the whole, the Post Office Department be kept on a self-sustaining basis. [Applause.]

The SPEAKER. The time of the gentleman has again expired.

Mr. PAIGE. I yield three minutes to the gentleman from New York [Mr. LA GUARDIA].

Mr. LA GUARDIA. Mr. Speaker and gentlemen, my distinguished colleague from Iowa [Mr. RAMSEYER], who has just addressed you, has been consistently against the bill from the very beginning of the time that the committee took up the question of salary increase. I can sympathize with him because I am very often in the minority myself, but as to this bill he happens to be a hopeless minority. The bill first came before the House last session as a straight salary increase and passed the House under suspension of the rules. It was next before the House as a Senate bill and you rejected that bill on the theory that it was a revenue measure and should not be originated in the Senate. Then the Post Office Committee reported the present bill and it likewise passed. Now the conference report simply brings back the original House bill. The House can do nothing else but approve the conference report, which holds our original bill. Gentlemen, there are only five more legislative days and there is only one way to give the postal employees an increase of salary and that is by approving this conference report. The vote on any motion, however it may be disguised or what parliamentary strategy may be invoked, is a vote against the salary increase. And you can not get away from that.

Mr. STEVENSON. Will the gentleman yield?

Mr. LA GUARDIA. I will yield to the gentleman.

Mr. STEVENSON. The gentleman from Pennsylvania stated that if we recommit this bill it could not become a law. I want to ask if it was recommitted with instructions to the House committee to recede to the extent of 1 cent on this parcel-post tax, the Senate having already contended for that, does not the gentleman think if the House did so recede it would come back to us at once?

Mr. LA GUARDIA. The gentleman has sufficient parliamentary experience to know that at this time, under the stress of work of the last five days of the last session of Congress, that if we recommit this bill it will never become a law. I can simply point to the Muscle Shoals as a striking example. There is a measure doomed to die of chronic reference and conference. I want to appeal to my colleagues from New York not to vote for any motion to recommit, but approve of this conference report, if we are going to keep our solemn pledges made to the postal workers.

Mr. WATKINS. Will the gentleman yield?

Mr. LA GUARDIA. To the postal employees of our country. Now I yield.

Mr. WATKINS. Let me submit that many of the gentlemen who are now thinking and talking about the farmer evidently did not think anything about him the other day when they increased their own salaries \$2,500 a year, whereas in this bill they only increase the postal employees \$300 and less.

Mr. LA GUARDIA. Right; but do not invoke the farmer, I plead with my colleague from Oregon. Every time Congress passes something that should not be passed we blame the farmer, and when vicious legislation is passed again the poor farmer is blamed. I plead with Members of the House who

want a real salary increase for our postal employees to do it now by voting for the conference report. [Applause.]

Mr. PAIGE. I yield two minutes to the gentleman from New York [Mr. MEAD]. [Applause.]

Mr. MEAD. Mr. Speaker, I desire merely to make this observation as one of the Democratic Members of the Post Office Committee, and that is this: You can at this very late day in the session make a fight against the progress of this legislation by asking the House to return it to the conference committee, in order to reduce the parcel-post service charge, but I want to call your attention to the fact that if you do so vote you are attempting to do something that we already went on record against when we passed the bill here a few days ago, because the House at that time approved a 2-cent service charge on parcel-post packages, and our conferees have retained that provision in the bill.

If you send this measure back to conference, the statement of my friend from South Carolina [Mr. STEVENSON] might be true—that it can be reconsidered in conference and returned again to us with the parcel-post service charge reduced from 2 cents to 1 cent. But if you vote to do that, my friends, realizing the practical situation that confronts us, I fear you are going to vote to kill the salary bill and deprive these 350,000 faithful employees of our Postal Department of a just and meritorious salary increase. In the first place, it is now too late in the session to delay longer, and the President of the United States, who must be considered in connection with this legislation, has let it be understood that he will sign no bill unless it approximates a revenue increase equal to the expenditure provided for in section 1¹; and if we do finally succeed in reducing the parcel-post charge from 2 cents to 1 cent, we will reduce the total revenue which the bill will raise to a figure so low as to invite the presidential veto.

Now, to you, my friends on the Democratic side, let me say we should by all means adopt this conference report and hurry this bill along to the President, so that before the 4th day of March arrives this belated measure of justice will be given to these splendid men and women, the hardest worked and most faithful employees in the service of our Federal Government—our postal workers. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. PAIGE. Mr. Speaker, I think the membership of this House are familiar with this bill, and they realize that if they desire to increase the salaries of postal employees, this will be the only way to do it at this Congress. If you recommit the bill, you defeat your purpose. Therefore I move the previous question on the conference report.

The SPEAKER. The gentleman from Massachusetts moves the previous question on the adoption of the conference report.

The previous question was ordered.

Mr. BELL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman from Georgia offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Motion by Mr. BELL: I move to recommit the conference report to the committee of conference with instructions to the managers on the part of the House to agree to the Senate amendment with an amendment proposing a rate of 1 cent per package instead of the service charge of 2 cents for each parcel provided in subdivision (b) of section 207 of this bill.

Mr. PAIGE. Mr. Speaker, on that motion I move the previous question.

The SPEAKER. The gentleman from Massachusetts moves the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recommit.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. As many as are in favor of the motion to recommit will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 85, nays 286, answered "present" 1, not voting 59, as follows:

[Roll No. 82]

YEAS—85

Abernethy
Almon
Arnold
Aswell
Bell

Bland
Bowling
Boyce
Brand, Ga.
Browning

Buchanan
Bulwinkle
Burtess
Busby
Byrns, Tenn.

Canfield
Cannon
Carter
Christopherson
Collier

Cramton
Crisp
Doughton
Drane
Drewry
Driver
Gardner, Ind.
Garrett, Tenn.
Gilbert
Hammer
Harrison
Hayden
Hill, Ala.
Hoch
Howard, Okla.
Hull, Tenn.
Humphreys

Jeffers
Johnson, S. Dak.
Jones
Kerr
Kincheloe
Lanham
Lankford
Larsen, Ga.
Lee, Ga.
Lozier
McClintic
McDuffie
McKeown
McReynolds
Major, Ill.
Mansfield
Milligan

Moore, Ga.
Moore, Va.
Morris
Oldfield
Oliver, Ala.
Park, Ga.
Quinn
Ragon
Raker
Rankin
Rayburn
Reed, Ark.
Rouse
Rubey
Sanders, Tex.
Scars, Fla.
Simmons

Smithwick
Stedman
Swank
Taylor, Colo.
Thomas, Ky.
Thomas, Okla.
Tillman
Vinson, Ga.
Vinson, Ky.
Williamson
Wilson, Miss.
Wingo
Woodrum
Wright

The Clerk announced the following pairs:
On this vote:

Mr. Romjue (for) with Mr. Butler (against).

Until further notice:

Mr. Porter with Mr. Garner of Texas.
Mr. Rogers of Massachusetts with Mr. Kindred.
Mr. Parker with Mr. Sherwood.
Mr. MacLafferty with Mr. Buckley.
Mr. Wurzbach with Mr. Davey.
Mr. Connolly of Pennsylvania with Mr. Johnson of West Virginia.
Mr. Dempsey with Mr. Doyle.
Mr. Johnson of Washington with Mr. Jost.
Mr. Moore of Ohio with Mr. Kunz.
Mr. Kendall with Mr. McNulty.
Mr. Tinkham with Mr. Salmon.
Mr. Curry with Mr. Lilly.
Mr. Hersey with Mr. Fulbright.
Mr. Knutson with Mr. Summers of Texas.
Mrs. Nolan with Mr. Parks of Arkansas.
Mr. Roach with Mr. Tague.
Mr. Taylor of Tennessee with Mr. Rogers of New Hampshire.
Mr. Garber with Mr. Eagan.
Mr. Wood with Mr. Spearing.
Mr. Boles with Mr. Dominick.
Mr. Wertz with Mr. Ward of North Carolina.
Mr. Britten with Mr. Tucker.
Mr. Edmonds with Mr. Casey.
Mr. Moores of Indiana with Mr. Davis of Tennessee.
Mr. Temple with Mr. Connolly of Texas.
Mr. Schall with Mr. Clark of Florida.
Mr. Peavey with Mr. Logan.
Mr. Nelson of Wisconsin with Mr. Berger.

Mr. SABATH. Mr. Speaker, my colleagues, Mr. DOYLE and Mr. BUCKLEY, are unavoidably absent. If they were present they would vote nay on the proposition, because they are in favor of the legislation.

Mr. CULLEN. Mr. Speaker, my colleague, Mr. KINDRED, of New York, is absent on account of illness. If he were present he would vote nay.

Mr. MOONEY. Mr. Speaker, my colleague, Mr. DAVEY, of Ohio, has been called home because of illness. If he were present he would vote nay.

Mr. MINAHAN. Mr. Speaker, if my colleague, Mr. EAGAN, were present he would vote nay.

Mr. DAVIS of Tennessee. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. DAVIS of Tennessee. I was not.

The SPEAKER. The gentleman does not qualify.

Mr. SPROUL of Illinois. Mr. Speaker, my colleague, Mr. KUNZ, of Illinois, is detained on account of sickness. Had he been present he would have voted nay.

The result of the vote was announced as above recorded.

The SPEAKER. The question is now on agreeing to the conference report.

Mr. CARTER and Mr. BLANTON demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 367, nays 9, answered "present" 1, not voting 54, as follows:

[Roll No. 83]

YEAS—367

Ackerman
Aldrich
Allen
Allgood
Anderson
Andrew
Anthony
Ayres
Bacharach
Bacon
Bankhead
Barbour
Barkley
Beck
Beedy
Beers
Begg
Bixler
Black, N. Y.
Black, Tex.
Blanton
Bloom
Box
Boylan
Brand, Ohio
Briggs
Browne, N. J.
Browne, Wis.
Brumm
Burdick
Burton
Byrnes, S. C.
Cable
Campbell
Carew
Celler
Chindblom
Clague
Clancy
Clarke, N. Y.
Cleary
Cole, Iowa
Cole, Ohio
Collins
Colton
Connery
Cook
Cooper, Ohio
Cooper, Wis.
Corning
Croll
Crosier
Crowther
Cullen
Cummings
Dallinger
Darrow
Davis, Minn.
Deal
Denison
Dickinson, Iowa
Dickinson, Mo.
Dickstein
Dowell
Dyer
Elliot
Evans, Iowa
Evans, Mont.
Fairchild
Fairfield
Faust
Favrot

Fenn
Fish
Fisher
Fitzgerald
Fleetwood
Foster
Frear
Fredericks
Free
Freeman
French
Frothingham
Fuller
Fuimer
Funk
Gallivan
Gambrell
Garrett, Tex.
Gasque
Gerap
Gibson
Gifford
Glatfelter
Goldsborough
Graham
Green
Greenwood
Griest
Griffin
Guyer
Hadley
Hall
Hardy
Hastings
Haugen
Hawes
Hawley
Hickey
Hill, Md.
Hill, Wash.
Holaday
Hooker
Howard, Nebr.
Huddleston
Hudson
Hudspeth
Hull, Iowa
Hull, Morton D.
Hull, William E.
Jacobstein
James
Johnson, Ky.
Johnson, Tex.
Kearns
Keller
Kelly
Kent
Ketcham
Kless
King
Kopp
Kurtz
Kvale
LaGuardia
Lampert
Larson, Minn.
Lazaro
Lea, Calif.
Leach
Leatherwood
Leavitt
Lehlbach

NAYS—286

Lindsay
Linberger
Linthicum
Longworth
Lowrey
Luce
Lyon
McFadden
McKenzie
McLaughlin, Mich.
McLaughlin, Nebr.
McLeod
McSwain
McSweeney
MacGregor
Madden
Magee, N. Y.
Magee, Pa.
Major, Mo.
Manlove
Mapes
Martin
Mead
Merritt
Michaelson
Michener
Miller, Ill.
Miller, Wash.
Mills
Minahan
Montague
Mooney
Moore, Ill.
Morehead
Morgan
Morin
Morrow
Murphy
Nelson, Me.
Newton, Minn.
Newton, Mo.
O'Brien
O'Connell, N. Y.
O'Connell, R. I.
O'Connor, La.
O'Connor, N. Y.
O'Sullivan
Oliver, N. Y.
Paige
Patterson
Peery
Perkins
Perlman
Phillips
Pou
Prall
Purnell
Quayle
Rainey
Ramseyer
Ransley
Rathbone
Reece
Reed, N. Y.
Reed, W. Va.
Reid, Ill.
Richards
Robinson, Iowa
Robison, Ky.
Rosenbloom
Sabath
Sanders, Ind.

Sanders, N. Y.
Sandlin
Schneider
Scott
Sears, Nebr.
Seger
Shallenberger
Shreve
Sinclair
Sinnott
Sites
Smith
Snell
Snyder
Speaks
Sprout, Ill.
Sprout, Kans.
Staiker
Steagall
Stengle
Stevens
Stevenson
Strong, Kans.
Strong, Pa.
Sullivan
Summers, Wash.
Sweet
Swing
Swoope
Taber
Taylor, Tenn.
Taylor, W. Va.
Thatcher
Thompson
Tilson
Timberlake
Tinchier
Trendway
Tydings
Underhill
Underwood
Upshaw
Valle
Vare
Vestal
Vincent, Mich.
Voigt
Wainwright
Ward, N. Y.
Wason
Watkins
Watres
Watson
Weaver
Wefald
Weller
Welsh
White, Kans.
White, Me.
Williams, Ill.
Williams, Mich.
Williams, Tex.
Wilson, Ind.
Wilson, La.
Winslow
Winter
Woodruff
Wyant
Yates
Zihlman

ANSWERED "PRESENT"—1

Knutson

NOT VOTING—59

Berger
Boles
Britten
Buckley
Butler
Casey
Clark, Fla.
Connally, Tex.
Connolly, Pa.
Curry
Davey
Davis, Tenn.
Dempsey
Dominick
Doyle

Eagan
Edmonds
Fulbright
Garber
Garner, Tex.
Hersey
Johnson, Wash.
Johnson, W. Va.
Jost
Kendall
Kendred
Kunz
Langley
Lilly
Logan

McNulty
MacLafferty
Moore, Ohio
Moore, Ind.
Nelson, Wis.
Nolan
Parker
Parks, Ark.
Peavey
Porter
Roach
Rogers, Mass.
Rogers, N. H.
Romjue
Salmon

Schafer
Schall
Sherwood
Spearing
Summers, Tex.
Tague
Temple
Tinkham
Tucker
Ward, N. C.
Wertz
Wolf
Wood
Wurzbach

Abernethy
Ackerman
Aldrich
Allen
Allgood
Almon
Anderson
Andrew
Anthony
Arnold
Aswell
Ayres
Bacharach
Bacon
Bankhead
Barbour
Barkley
Barkley
Beck
Beedy
Beers
Begg
Bell
Bixler
Black, N. Y.
Black, Tex.
Blanton
Bloom
Boies
Bowling
Box
Boyce
Boylan
Brand, Ga.
Briggs
Britten

Browne, N. J.
Browne, Wis.
Browning
Brumm
Buchanan
Bulwinkle
Burdick
Burtress
Burton
Busby
Byrnes, S. C.
Byrns, Tenn.
Cable
Campbell
Canfield
Cannon
Carew
Carter
Celler
Chindblom
Christopherson
Clague
Clancy
Clarke, N. Y.
Cleary
Cole, Iowa
Cole, Ohio
Collier
Collins
Colton
Connery
Cook
Cooper, Ohio
Cooper, Wis.

Corning
Cramton
Crisp
Croll
Crosier
Crowther
Cullen
Cummings
Dallinger
Darrow
Davis, Minn.
Davis, Tenn.
Deal
Dempsey
Denison
Dickinson, Iowa
Dickinson, Mo.
Dickstein
Doughton
Dowell
Drane
Driver
Dyer
Edmonds
Elliot
Evans, Mont.
Fairchild
Fairfield
Faust
Favrot
Fenn
Fish
Fisher
Fitzgerald
Fleetwood

Foster
Frear
Fredericks
Free
Freeman
Frothingham
Fuller
Fuimer
Funk
Gallivan
Gambrell
Garber
Gardner, Ind.
Garrett, Tex.
Gasque
Geran
Gibson
Gifford
Gilbert
Glatfelter
Goldsborough
Green
Greenwood
Griest
Griffin
Guyer
Hadley
Hall
Hammer
Hardy
Harrison
Hastings
Haugen
Hawes

So the motion to recommit was rejected.

Hawley	McFadden	Pou	Sweet
Hayden	McKenzie	Prall	Swing
Hickey	McLaughlin, Mich.	Purnell	Swoope
Hill, Ala.	McLaughlin, Nebr.	Quayle	Taber
Hill, Md.	McLeod	Quinn	Taylor, Colo.
Hill, Wash.	McSwain	Ragon	Taylor, Tenn.
Holaday	McSweeney	Raney	Taylor, W. Va.
Hooker	MacGregor	Raker	Thatcher
Howard, Nebr.	Madden	Rankin	Thomas, Ky.
Howard, Okla.	Magee, N. Y.	Ransley	Thomas, Okla.
Huddleston	Magee, Pa.	Rathbone	Thompson
Hudson	Major, Ill.	Rayburn	Tillman
Hudspeth	Major, Mo.	Reece	Tilmon
Hull, Iowa	Manlove	Reed, Ark.	Timberlake
Hull, Tenn.	Mansfield	Reed, N. Y.	Tincher
Hull, William E.	Mapes	Reld, Ill.	Tinkham
Humphreys	Martin	Richards	Treadway
Jacobstein	Mead	Robinson, Iowa	Tydings
James	Merritt	Robison, Ky.	Underhill
Jeffers	Michaelson	Rosenbloom	Underwood
Johnson, Ky.	Michener	Rouse	Upshaw
Johnson, S. Dak.	Miller, Ill.	Rubey	Vallie
Johnson, Tex.	Miller, Wash.	Sabath	Vare
Kearns	Milligan	Sanders, Ind.	Vestal
Kelly	Mills	Sanders, N. Y.	Vincent, Mich.
Kent	Minahan	Sanders, Tex.	Vinson, Ga.
Kerr	Montague	Sandlin	Vinson, Ky.
Ketcham	Mooney	Schafer	Voigt
Kiess	Moore, Ga.	Schneider	Wainwright
Kincheloe	Moore, Ill.	Scott	Ward, N. Y.
King	Moore, Ind.	Sears, Fla.	Watson
Kopp	Morchhead	Sears, Nebr.	Watkins
Kurtz	Morgan	Seger	Watres
Kvale	Morin	Shallenberger	Watson
LaGuardia	Morris	Shreve	Weaver
Lampert	Morrow	Simmons	Wefald
Lanham	Murphy	Sinclair	Weller
Lankford	Nelson, Me.	Sinnott	Welsh
Larsen, Ga.	Nelson, Wis.	Sites	Wertz
Larson, Minn.	Newton, Minn.	Smith	White, Kans.
Lazaro	Newton, Mo.	Smithwick	White, Me.
Lea, Calif.	O'Brien	Snell	Williams, Ill.
Leach	O'Connell, N. Y.	Snyder	Williams, Mich.
Leatherwood	O'Connell, R. I.	Speaks	Williams, Tex.
Leavitt	O'Connor, La.	Sprout, Ill.	Williamson
Lee, Ga.	O'Connor, N. Y.	Sprout, Kans.	Wilson, Ind.
Lehlbach	O'Sullivan	Stalker	Wilson, La.
Lindsay	Oldfield	Stengall	Wilson, Miss.
Lineberger	Oliver, Ala.	Stedman	Wingo
Linthicum	Oliver, N. Y.	Stengle	Wingslow
Logan	Paige	Stephens	Winter
Longworth	Park, Ga.	Stevenson	Woodruff
Lowrey	Patterson	Strong, Kans.	Woodrum
Lozier	Peery	Strong, Pa.	Wright
Luce	Perkins	Sullivan	Wyant
Lyon	Perlman	Summers, Wash.	Zihlman
McIntire	Phillips	Summers, Tex.	
McIntire		Swank	

NAYS—9

Bland	French	Jones	Moore, Va.
Drewry	Hoch	McReynolds	Ramseyer
Evans, Iowa			

ANSWERED "PRESENT"—1

Knutson

NOT VOTING—54

Berger	Garrett, Tenn.	McKeown	Salmon
Brand, Ohio	Garner, Tex.	McNulty	Schall
Buckley	Graham	MacLafferty	Sherwood
Butler	Hersey	Moore, Ohio	Spearing
Casey	Hull, Morton D.	Nolan	Tague
Clark, Fla.	Johnson, Wash.	Parker	Temple
Connally, Tex.	Johnson, W. Va.	Parks, Ark.	Tucker
Connolly, Pa.	Jost	Peavey	Ward, N. C.
Curry	Keller	Porter	Wolf
Davey	Kendall	Reed, W. Va.	Wood
Dominick	Kindred	Roach	Wurzbach
Doyle	Kunz	Rogers, Mass.	Yates
Eagan	Langley	Rogers, N. H.	
Fulbright	Lilly	Romjue	

So the conference report was agreed to.

The Clerk announced the following additional pairs:
Until further notice:

Mr. Butler with Mr. Romjue.
Mr. Reed of West Virginia with Mr. Doyle.
Mr. Keller with Mr. McKeown.
Mr. Graham with Mr. Tucker.
Mr. Yates with Mr. Dominick.
Mr. Brand of Ohio with Mr. Casey.
Mr. Knutson with Mr. Salmon.
Mr. Peavey with Mr. Rogers of New Hampshire.

Mr. FREE. Mr. Speaker, I want to state that my colleague, Mr. MacLafferty, is unavoidably absent. If he were present, he would vote "yea."

Mr. MOONEY. Mr. Speaker, my colleague, Mr. DAVEY, has been called home on account of illness. If he had been present, he would have voted for the adoption of the conference report, as he is very much interested in this bill.

Mr. GERAN. Mr. Speaker, my colleagues, Mr. EAGAN and Mr. McNULTY, are unavoidably absent. If they were present, they would vote "yea."

Mr. KELLER. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. KELLER. No; I just came into the Hall.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

Mr. GARRETT of Tennessee. Mr. Speaker, I move to reconsider the vote by which the conference report was agreed to.

Mr. TINCHER. Mr. Speaker, I move to lay that motion on the table.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 132, noes none.

So the motion to reconsider was laid on the table.

NATIONAL DEFENSE ACT

The SPEAKER. The Chair lays before the House the following resolution, which the Clerk will report.

The Clerk read as follows:

Concurrent Resolution 35

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and of the President pro tempore of the Senate in signing the enrolled bill (S. 3760) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes, be rescinded, and that in the reenrollment of said bill the Secretary of the Senate be, and he is hereby, authorized and directed to strike out, on page 5, line 4, the word "commissioner" and insert in lieu thereof the word "commissioned."

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

FEDERAL COOPERATIVE MARKETING

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12348) to create a Federal cooperative marketing board, to provide for the registration of cooperative-marketing, clearing-house, and terminal-market organizations, and for other purposes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 133, noes 2.

Mr. BLANTON. Mr. Speaker, I object to the vote and make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order of no quorum. The Chair will count. [After counting.] One hundred and ninety-one Members are present, not a quorum. The Doorkeeper will close the doors; the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll. The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union, for the further consideration of H. R. 12348, to create a Federal cooperative marketing board, to provide for the registration of cooperative-marketing, clearing-house, and terminal-market organizations, and for other purposes.

The question was taken; and there were—yeas 333, nays 20, not voting 76, as follows:

[Roll No. 84]

YEAS—333

Abernethy	Carter	Favrot	Hill, Ala.
Ackerman	Celler	Fenn	Hill, Md.
Aldrich	Chindblom	Fish	Hill, Wash.
Allen	Clague	Fisher	Hoch
Allgood	Clancy	Fleetwood	Holaday
Almon	Cleary	Foster	Howard, Nebr.
Anderson	Cole, Iowa	Fear	Howard, Okla.
Andrew	Cole, Ohio	Free	Huddleston
Arnold	Collier	Freeman	Hudson
Ayres	Collins	French	Hull, Iowa
Bacharach	Colton	Frothingham	Hull, Tenn.
Bacon	Connally, Tex.	Fuller	Hull, Morton D.
Barbour	Connery	Fulmer	Hull, William E.
Barkley	Cook	Funk	Jacobstein
Beck	Cooper, Ohio	Gallivan	James
Beedy	Cooper, Wis.	Gambrell	Jeffers
Beers	Cramton	Garber	Johnson, S. Dak.
Begg	Crisp	Gardner, Ind.	Johnson, Tex.
Bell	Croll	Garrett, Tenn.	Jones
Black, N. Y.	Crosser	Garrett, Tex.	Kearns
Black, Tex.	Crowther	Gasque	Keller
Bland	Cullen	Geran	Kelly
Bloom	Cummings	Gibson	Kent
Boles	Dallinger	Gifford	Kerr
Box	Darrow	Glatfelter	Ketcham
Boyce	Davis, Minn.	Graham	Kiess
Boylan	Davis, Tenn.	Green	King
Brand, Ga.	Denison	Greenwood	Knutson
Brand, Ohio	Dickinson, Iowa	Griest	Kopp
Britten	Dickinson, Mo.	Guyer	Kurtz
Browne, N. J.	Dickstein	Hadley	Kvale
Browne, Wis.	Doughton	Hall	LaGuardia
Bulwinkle	Dowell	Hammer	Lampert
Burdick	Drewry	Hardy	Lanham
Burness	Dyer	Harrison	Lankford
Burton	Edmonds	Hastings	Larsen, Ga.
Cable	Elliot	Haugen	Lazaro
Campbell	Evans, Mont.	Hawes	Lea, Calif.
Canfield	Fairchild	Hawley	Leach
Cannon	Fairfield	Hayden	Leatherwood
Carew	Faust	Hickey	Leavitt

Lee, Ga.	Morehead	Rubey	Thompson
Lehlbach	Morgan	Sabath	Tillman
Lindsay	Morin	Sanders, Ind.	Tilson
Lineberger	Morrow	Sanders, N. Y.	Timberlake
Linthicum	Murphy	Sanders, Tex.	Tincher
Longworth	Nelson, Me.	Sandlin	Tinkham
Lowrey	Nelson, Wis.	Schafer	Treadway
Lozier	Newton, Minn.	Schneider	Underhill
Luce	Newton, Mo.	Sears, Nebr.	Underwood
Lyon	O'Brien	Seger	Upshaw
McClintic	O'Connell, N. Y.	Shallenberger	Vaile
McFadden	O'Connell, R. I.	Shreve	Vestal
McKenzie	O'Sullivan	Simmons	Vinson, Ga.
McLaughlin, Mich.	Oldfield	Snclair	Vinson, Ky.
McLaughlin, Nebr.	Oliver, Ala.	Smith	Volgt
McLeod	Oliver, N. Y.	Smithwick	Ward, N. Y.
McReynolds	Park, Ga.	Snell	Wason
McSwain	Patterson	Snyder	Watres
McSweeney	Peery	Speaks	Watson
MacGregor	Perkins	Sproul, Ill.	Weaver
Madden	Perlman	Sproul, Kans.	Wefald
Magee, N. Y.	Porter	Stalker	Weller
Magee, Pa.	Pou	Steagall	Welsh
Major, Ill.	Prall	Stedman	White, Kans.
Major, Mo.	Purnell	Stengle	White, Me.
Manlove	Quin	Stephens	Williams, Ill.
Mansfield	Ragon	Stevenson	Williams, Mich.
Mapes	Rainey	Strong, Kans.	Williams, Tex.
Martin	Raker	Strong, Pa.	Williamson
Mead	Ramseyer	Sullivan	Wilson, Ind.
Merritt	Rankin	Summers, Wash.	Wilson, La.
Michaelson	Ransley	Summers, Tex.	Wilson, Miss.
Michener	Rathbone	Swank	Wingo
Miller, Ill.	Rayburn	Sweet	Winter
Miller, Wash.	Reece	Swing	Woodruff
Milligan	Reed, Ark.	Swoope	Woodrum
Mills	Reed, N. Y.	Taber	Wright
Mnahan	Reid, Ill.	Taylor, Colo.	Wyant
Montague	Richards	Taylor, Tenn.	Yates
Mooney	Robinson, Iowa	Taylor, W. Va.	Zihlman
Moore, Ga.	Robison, Ky.	Thatcher	
Moore, Va.	Rosenbloom	Thomas, Ky.	
Moores, Ind.	Rouse	Thomas, Okla.	

YAYS—20

Aswell	Browning	Drane	Humphreys
Bankhead	Buchanan	Driver	Kincheloe
Blanton	Busby	Gilbert	Morris
Bowling	Byrns, Tenn.	Goldsbrough	O'Connor, La.
Briggs	Deal	Hudspeth	Tydings

NOT VOTING—76

Anthony	Fitzgerald	McNulty	Sears, Fla.
Berger	Fredericks	MacLafferty	Sherwood
Bixler	Fulbright	Moore, Ill.	Sinnot
Brumm	Garner, Tex.	Moore, Ohio	Sites
Buckley	Griffin	Nolan	Spearing
Butler	Hersey	O'Connor, N. Y.	Tague
Byrnes, S. C.	Hooker	Paige	Temple
Casey	Johnson, Ky.	Parker	Tucker
Christopherson	Johnson, Wash.	Parks, Ark.	Vare
Clark, Fla.	Johnson, W. Va.	Peavey	Vincent, Mich.
Clarke, N. Y.	Jost	Phillips	Wainwright
Connolly, Pa.	Kendall	Quayle	Ward, N. C.
Corning	Kindred	Reed, W. Va.	Watkins
Curry	Kunz	Roach	Wertz
Davey	Langley	Rogers, Mass.	Winslow
Dempsey	Larson, Minn.	Rogers, N. H.	Wolff
Dominick	Lilly	Romjue	Wood
Doyle	Logan	Salmon	Wurzbach
Eagan	McDuffie	Schall	
Evans, Iowa	McKeown	Scott	

So the motion was agreed to.

The Clerk announced the following additional pairs:
Until further notice:

Mr. Wainwright with Mr. Byrnes of South Carolina.
Mr. Fredericks with Mr. Garner of Texas.
Mr. Bixler with Mr. Quayle.
Mr. Paige with Mr. Tucker.
Mr. Sinnot with Mr. Sears of Florida.
Mr. Winslow with Mr. McKeown.
Mr. Temple with Mr. Hooker.
Mr. Scott with Mr. Dominick.
Mr. Dempsey with Mr. Arnold.
Mr. Anthony with Mr. Corning.
Mr. Brumm with Mr. Griffin.
Mr. Christopherson with Mr. Johnson of Kentucky.
Mr. Phillips with Mr. Logan.
Mr. Speaks with Mr. Salmon.
Mr. Wertz with Mr. Watkins.
Mr. Vincent of Michigan with Mr. Sites.
Mr. Moore of Illinois with Mr. O'Connor of New York.
Mr. Clarke of New York with Mr. McDuffie.
Mr. Fitzgerald with Mr. Eagan.
Mr. Larson of Minnesota with Mr. Casey.
Mr. Vare with Mr. Berger.

The result of the vote was announced as above recorded.

The doors were opened.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12348), with Mr. GREEN in the chair.

The Clerk read the title of the bill.

Mr. ASWELL. Mr. Chairman, I offer an amendment to the pending amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ASWELL to the amendment offered by Mr. DICKINSON of Iowa: After the word "that" strike out all of the pending amendment and insert the following:

For the purpose of (a) promoting and stimulating the orderly flow of agricultural commodities in interstate and foreign commerce, (b) removing direct burdens and undue restraint upon such commerce in such commodities, and (c) providing for the processing, preparation for market, handling, pooling, storing, and marketing in such commerce of agricultural commodities through cooperative marketing associations, the following seven individuals: J. H. Kimble, Port Deposit, Md.; Frank O. Lowden, Oregon, Ill.; George Gordon Battle, New York; John Wesley Batcheller, Mission Hill, S. Dak.; Col. Ike T. Prior, San Antonio, Tex.; Martin Amorous, Marietta, Ga.; H. R. Green, Moline, Kans.; and their successors, are hereby incorporated and declared to be a body corporate under the name of the Interstate Farm Marketing Association (referred to in this act as the interstate association). The incorporation shall be held effected upon the passage of this act.

GENERAL POWERS

SEC. 2. The interstate association—

- (a) Shall have perpetual succession;
- (b) May sue and be sued in its corporate name;
- (c) May adopt a corporate seal, which shall be judicially noticed, and may alter it at pleasure;
- (d) Shall have its principal office in the District of Columbia;
- (e) May make contracts;
- (f) May acquire, hold, and dispose of property, necessary for the carrying out the purposes of the association;
- (g) May appoint, fix the compensation of, and remove without prejudice to contract rights, such officers, employees, and agents as are necessary for the conduct of the affairs of the interstate association. Such officers, employees, and agents may be either individuals, partnerships, corporations, or associations. Each such officer, employee, or agent responsible for the handling of money or the custody of agricultural commodities shall give bond in such amount, with such penalties and upon such terms as the interstate association shall determine;
- (h) May accept the services of any person without compensation;
- (i) May adopt, amend, and repeal regulations;
- (j) Shall have such powers not specifically denied by law as are necessary and proper to conduct, under this act and in accordance with approved business methods, the business of cooperatively processing, preparing for market, handling, storing, and marketing agricultural commodities, or such further business as is necessary and incidental thereto.

SPECIAL POWERS

SEC. 3. The interstate association is authorized—

- (a) To provide or approve systems of accounting for local and State organizations organized under Title II;
- (b) To provide a system of reporting and disseminating crop and marketing information for the benefit of such organizations.
- (c) To advise the members of such organizations as to the diversification of production of agricultural commodities and as to the increase or decrease of production necessary to provide an adequate supply of the commodity without causing either an undue surplus or shortage of production;
- (d) To determine, subject to the approval of the members, upon the annual budget and necessary supplements thereto, of the receipts and expenditures of the association;
- (e) To provide for the commodity assessment against State associations of fees sufficient (1) to meet the expenditures of the interstate association authorized in any approved budget, (2) to repay all loans and interest thereon provided for in section 301, and (3) to establish a reserve fund in such amount as the members of the interstate association determine to be necessary to enable it most effectively to execute the functions vested in it by this act;

BOARD OF DIRECTORS

- SEC. 4. (a) Except as otherwise specifically provided the board of directors (referred to in this act as the "interstate board") to be composed as hereinafter provided in this section, shall direct the exercise of the functions vested in the interstate association.
- (b) The first board of directors shall be composed of four members, one of whom shall be a fiduciary officer of the United States designated by the President, and three of whom shall, within one month after the enactment of this act, be elected from their own number by the incorporators named in section 1. Of the three elected members of the board of directors, one shall be elected for a term of one year, one for two years, and one for three years. A successor to the director designated by the President shall be likewise designated by him. Successors to the elected directors, except those elected to fill unexpired terms of directors, shall be elected for a term of three years by the members of the interstate association in the manner provided in section 7.

(c) A vacancy in the office of an elected director may be filled by the remaining directors until, at the next annual meeting of the members of the interstate association, a successor is elected to fill the unexpired term of such office and is qualified. Any such vacancy shall not impair the powers of the remaining directors to execute the functions of the interstate board. A majority of the directors shall constitute a quorum for the transaction of the business of the interstate board.

(d) Each elected director shall receive a salary to be fixed by such members and shall hold office until his successor is elected and qualified.

(e) The director designated by the President shall not receive compensation from the association for his services as director, other than pay for expenses incurred by him while acting as a director, and upon repayment by the interstate association of the loan and interest thereon provided in section 301, his term of office as director shall be terminated.

(f) There shall be but three elected directors, unless by a two-thirds vote of the charter members of the interstate association such number is increased, but at no time shall the number of directors exceed seven.

MEMBERS OF INTERSTATE ASSOCIATION

SEC. 5. (a) The incorporators named in section 1 shall be the first members of the interstate association. The two incorporators first listed in section 1 shall be members for a period of three years; the next two listed, for a period of two years; and the three last listed, for a period of one year, beginning from the date of incorporation of the association. Successors to the original members, except those elected to fill unexpired terms of members, shall be elected as provided in section 203 for periods of three years.

(b) A vacancy in the office of any member may be filled for the unexpired term of such office by election as provided in section 203.

COMMENCEMENT OF OPERATIONS

SEC. 6. The interstate association (1) shall begin its operations under this act in respect of such agricultural commodities as it considers best adapted to national cooperative marketing, and (2) shall, so far as it deems practicable, utilize such existing cooperative associations and other marketing agencies as are immediately available and capable of use for the purpose of this act.

DUTIES OF MEMBERS OF INTERSTATE ASSOCIATION

SEC. 7. It shall be the duty of the members of the interstate association—

(a) To convene as provided by regulations at the call of the interstate board and at a place to be selected by it;

(b) To elect annually directors to the interstate board;

(c) To act as an advisory group on behalf of the associations and to supervise generally the operations of the interstate board;

(d) To fix the salaries of the directors of the interstate board, and approve with or without modifications, or disapprove the annual budget of the association and necessary supplements thereto;

(e) To prepare a schedule of commodity assessments which, when approved by the interstate board, may be levied by the State associations upon their member associations.

BRANCH OFFICES

SEC. 8. (a) The interstate association may establish such agencies or branch offices at such places as it deems advisable.

(b) The interstate association shall be held an inhabitant and resident of the District of Columbia within the meaning of laws of the United States relating to venue of civil suits and of offenses against the United States.

BOOKS

SEC. 9. The interstate association shall keep, at its principal office in the custody of its secretary, correct books, showing the original or a transcript of the minutes of the interstate board's members' meetings, and showing the accounts of the association's business transactions.

ANNUAL REPORT

SEC. 10. The interstate association shall make an annual report to the Congress in respect of all loans made under authority of section 302 until such loans are repaid in full with interest.

TITLE II.—STATE COOPERATIVE MARKETING ASSOCIATIONS

ORGANIZATION

SEC. 201. In order to carry out the functions vested in it by this act the interstate association is authorized to provide for the organization of State cooperative marketing associations (referred to in this act as "State associations") in the several States. The interstate association shall by regulation, not in conflict with the laws of the State, prescribe the form of organization in each State whether by incorporation, contractual agreement, or otherwise.

DUTIES OF STATE ASSOCIATIONS

SEC. 202. Each State association shall—

(a) Annually select a board of directors which shall direct the operations of the association;

(b) By its board of directors annually select an individual as its representative to an annual convention of representatives of State associations;

(c) Organize as members of, or admit to membership in, such association any local cooperative association included within the provisions of the act entitled "An act to authorize association of producers of agricultural products," approved February 18, 1922.

ELECTION OF MEMBERS

SEC. 203. The individuals selected in accordance with section 202 as representatives of the State associations shall convene annually, at a place designated by the interstate board, and shall elect the members of the interstate association. Each representative shall have but one vote, which shall be cast in person.

REGULATION OF STATE AND LOCAL ASSOCIATIONS

SEC. 204. (a) The interstate association is authorized to prescribe regulations requiring—

(1) The adoption by local and State associations of systems of accounting approved by the interstate association;

(2) The use by the local and State associations of systems of reporting and disseminating crop and marketing information provided by the interstate association;

(3) The use by local and State associations of approved forms of agreement under the terms of which a local association is admitted to membership in a State association;

(4) The use by local associations of approved forms of marketing contracts to be subscribed to by the members of local associations;

(5) The use by local and State associations of grades and standards, not in conflict with law, of the commodities to be marketed through the State association and the interstate association, and the use of methods of packing and storing such commodities that have been approved by the interstate association;

(6) The payment by the State association of the commodity assessments fixed by the interstate association under section 3;

(7) If the interstate association finds by a vote of two-thirds of its members that any State association, or any local association which is a member of a State association, has failed to comply with any regulation prescribed under this section, the interstate association shall adopt a resolution publishing such finding. Upon the adoption of any such resolution the State association shall be ineligible, for such period of time as the interstate association may designate in the resolution, to obtain any loan provided in section 302, to be represented at an annual convention of representatives of State associations, or to obtain the exemptions accruing to it by reason of the benefits of section 302, except that if the violation is that of a local association the State association shall not be held ineligible under this subdivision if, within 30 days after the adoption of the resolution, the membership of the local association in the State association is terminated or suspended for such period of time as the interstate association may designate in its resolution.

OPERATING ZONES

SEC. 205. For the purpose of facilitating the marketing of any agricultural commodity State associations engaged in the marketing of such commodity, within such zones as the interstate association may designate, may consolidate their marketing operations in respect of such commodity. For the purposes of carrying out such consolidated marketing operations the State associations may jointly contract with or establish such organization as they deem advisable.

TITLE III.—MISCELLANEOUS PROVISIONS

LOAN FUND FOR ORGANIZATION PURPOSES

SEC. 301. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000,000, which, as appropriated, shall be set aside and reserved as a revolving loan fund in the Treasury, available to the interstate association until December 31, 1935. Payments shall be made from such fund at the direction of the director designated by the President upon application therefor by the interstate board, shall bear interest at the rate of 4½ per cent per annum until repaid from commodity assessments fixed by the interstate association.

USE OF FUND

SEC. 302. (a) The moneys in such fund shall be available for loans (1) to the interstate association for administration expenses of such association including expenditures for the organization of State associations, and (2) to a State association for expenses incurred by it in its organization, or in the organization by it of local associations which are members of the State association.

(b) The interstate association shall prescribe regulations in respect of the repayment to or collection by the interstate association of all loans made under subdivision (a). All moneys repaid to or collected by such association shall be covered into such fund.

APPLICATION OF ANTITRUST LAWS

SEC. 303. The interstate association and State associations shall, for the purposes of this act, be deemed marketing agencies within the meaning of that term as used in the provisions of the first section of the act entitled "An act to authorize association of producers of agricultural products," approved February 18, 1922, and in the same manner and to the same extent as associations included in such act, shall be subject to the provisions of section 2 thereof.

COOPERATION WITH EXECUTIVE DEPARTMENTS

SEC. 304. To foster, encourage, and promote the cooperative processing, preparing for market, handling, storing, and marketing of agricultural commodities under this act and to assist in the establishment and maintenance of State and local associations, any Government establishment in the executive branch of the Government shall, in accordance with the written request of the interstate association to the head of such Government establishment, cooperate with such association or with any State association to such extent as the head of such Government establishment deems compatible with the interests of the Government.

SEPARABILITY OF PROVISIONS

SEC. 305. If any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstances is held invalid, the validity of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby.

RESERVATION OF RIGHT TO AMEND

SEC. 306. The Congress of the United States reserves the right to alter, amend, or repeal the provisions of this act.

Mr. ANDERSON. Mr. Chairman, I make the point of order that the amendment proposed by the gentleman from Louisiana [Mr. ASWELL] is not germane to the amendment offered by the gentleman from Iowa [Mr. DICKINSON] or to the provisions of the bill under consideration. I should like to be heard on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. ASWELL. Mr. Chairman, will the gentleman withhold the point of order until the amendment can be briefly explained?

Mr. ANDERSON. Of course, I have no objection to withholding the point of order as a matter of courtesy to the gentleman from Louisiana if I will lose no rights thereby. I intend to make the point of order, however, and I think the point of order is well taken.

Mr. HAUGEN. How much time does the gentleman desire?

Mr. ASWELL. Mr. Chairman, I would like to have 15 minutes to explain the amendment to the Chair and to the committee.

Mr. ANDERSON. The bill is in charge of the gentleman from Iowa [Mr. HAUGEN], and if the gentleman from Iowa has no objection, I have none.

The CHAIRMAN. The Chair did not quite understand as to whether the gentleman made the point of order or reserved it.

Mr. ANDERSON. I am going to make the point of order, but am willing to reserve it if I shall lose no rights by doing so.

The CHAIRMAN. In the opinion of the Chair, the gentleman will lose no rights by reserving the point of order.

Mr. ANDERSON. I reserve the point of order, Mr. Chairman.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the gentleman from Louisiana may proceed for 15 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Chairman and gentlemen of the committee, the purpose of this amendment is identical with the purpose of the Dickinson amendment, namely, to encourage cooperative marketing. The principal difference is that under the Dickinson amendment the President of the United States appoints the board. Under this amendment the national board is elected by the State boards, entirely under the control of the farmers themselves.

The expert parliamentarians of the House intimated to me this morning that one subsection might conflict and might not be germane. It was not an important subsection so I struck it from my amendment, as read.

I would like for the chairman and the gentlemen of the committee to know that Senator CURTIS introduced a bill in the Senate, and I introduced an identical bill in the House. Senator CURTIS, the Republican leader of the Senate and the

recognized leader of his party in his State, if not in the country, succeeded in getting his bill reported unanimously by the Senate Committee on Agriculture and Forestry.

Senator CURTIS's bill is now on the calendar of the Senate, and the amendment that I offer is the Curtis bill, not my own. I would like for gentlemen of the committee to know that the amendment I offer is in the first place nonpolitical. It is not only nonpolitical, but it is free from Government interference or control. It gives the farmers control of their own business, not only to-day but forever as long as it remains on the statute books. The only difference between the Curtis bill and the amendment just read, is that I have added a board of incorporators to begin with for the reason that there had to be some organization to start operations.

I have conferred with the leaders of farm organizations in the country, and I would like to read the names suggested:

J. H. Kimble, Port Deposit, Md., member of the grange, national legislative agent American Farm Congress—diversified farmer; Frank O. Lowden, Oregon, Ill., farmer, Farm Bureau Federation and national counsel Farmers' Marketing Associations (Republican); George Gordon Battle, New York City, leading member New York Bar, formerly of Virginia, chairman the Producers & Consumers' League (Democrat); J. W. Batchler, Mission Hill, S. Dak., president South Dakota Farmers' Union, member National Board of Farm Organizations (Republican); Col. Ike T. Pryor, San Antonio, Tex., livestock farming (Republican); Martin Amorous, Marietta, Ga., Georgia Cotton Growers' Association—diversified farming (Democrat); and H. R. Green, Moline, Kans., livestock and grain grower, director Kansas Livestock Association (Republican).

Gentlemen of the committee, I call attention to the fact that in this proposed board of incorporators there are seven members—four Republicans and three Democrats.

Mr. COLE of Iowa. Will the gentleman yield?

Mr. ASWELL. If the gentleman will wait until I finish my statement I shall yield.

We have spent a great deal of valuable time in considering the predominating question of agriculture. The time, however, has not been lost or wasted, as Congress probably needs as much education on the practical operation of the farmers' interests as any other body.

There are bills now pending before Congress that no one giving the subject serious consideration and keeping in mind the justifiable rights of the farmer as compared with others engaged in other business can fail to see that such bills are detrimental to the farmer and would drag him down to a greater depth of bankruptcy and ruin.

I am informed, from the most trustworthy sources, that in some of the States many farmers have not been able to pay their fertilizer bills for the last two years. As everyone knows, one of the largest fertilizer companies is now in the hands of a receiver, brought about through credit extended to farmers and which they were unable to pay. These farmers are now up against a very serious situation, as they have not money or credit to provide fertilization for the coming season.

This amendment is free from Federal control or interference, free from politics, and does not send to the country another army of Federal agents to investigate, regulate, annoy, and irritate the farmers. [Applause.]

In offering this amendment, I am anxious to avoid any appearance of partisanship, and have named on the board a majority of Republicans. Agriculture is not a political question; it is an economic question. Our entire population are either producers or consumers. The public do not want to see the source of their food supply made the football of politics. To place agriculture on a permanent, substantial, sound, and profitable basis, it must be handled and managed by its owners as is every other big business of the country. When the farmer is placed in position to receive his just share of the prices paid by consumers, his business will be fifteen times greater than that of the United States Steel Corporation.

This Curtis-Aswell bill is drawn in a plain and simple manner, so simple that the farmers and everyone who reads it can readily understand it. It places no burden upon the taxpayer; it calls for no bonus for the farmer. It only asks for an advance from the Government not to exceed \$10,000,000, the money to be advanced as allocated by the board, under strict business rules. No advance from the Government will be asked except when fully safeguarded. All disbursements will be checked and audited by fiduciary board members appointed by the President. The Government will run no risk.

There is not to-day a collateral held by the Government for moneys advanced or loaned that in any way approaches the safety of the collateral provided for under this bill.

Mr. RAKER. Will the gentleman yield?

Mr. ASWELL. I would like to finish my statement first.

The commodity assessments that will be established by the respective State boards, approved by the national board, will be infinitesimal; at the same time, there will be a large sum of money accumulated annually as assessments are collected. On fifteen of the standard crops, the financial results on commodity assessment, if so fixed by the board of directors, would be as follows:

[In round figures]

Product:	1922 yield	Assessment	Returns
		Cents	
Corn.....bushels..	2,890,712,000	1/4	\$7,226,780
White potatoes.....do..	451,185,000	1	4,511,850
Wheat.....do.....	856,211,000	1/4	2,140,527
Barley.....do.....	186,118,000	1/2	930,590
Apples.....do.....	203,628,000	2	4,072,560
Sweet potatoes.....do..	109,534,000	2	2,190,680
Rye.....do.....	95,497,000	1/2	477,485
Rice.....do.....	41,965,000	1/2	209,825
Spinach.....do.....	13,500,000	2	270,000
Cabbage.....tons.....	1,097,000	50	548,500
Tomatoes.....do.....	1,742,000		
Onions.....do.....	(1)	(1)	1,400,000
Peaches.....bushels..	19,000,000	2	380,000
Pears.....do.....	56,705,000	2	1,134,100
Watermelons.....do...	18,661,000	2	373,220
46,924 cars, one-half cent per melon (2,000 to car)			469,240
Total annually.....			26,335,357

¹ Basis 40 crates to ton, 70,000,000 crates, 2 cents per crate.

When the machinery under this bill is placed in operation by the farmers it would mean gilt-edge collateral for the \$10,000,000 as advanced, bearing $4\frac{1}{2}$ per cent interest per annum, payable on or before 10 years; that is, the entire loan could if necessary be paid off two and one-half times each year. But this is not the way it will work out. It will require a short time to get the mechanics of the bill in full operation. While the provisions of the bill apply equally and alike to all farm commodities, the obvious outcome will be that the growers of some of the different commodities will organize under the bill as commodity organizations, and therefore it is entirely safe for Congress to assume that, although authorized, there will never be \$5,000,000 of the Government's money out at any one time through the operation of the bill.

It may be that a short explanation of the manner in which the Government will be repaid will not be out of place. If, for instance, the members of this organization ship 20 cars of wheat, containing 20,000 bushels, and the assessment on wheat is fixed by the board at one-half a cent a bushel, the commodity charge on the 20,000 bushels of wheat would be \$100. For the convenience of the shippers and the security of the Government there would be created a special revenue stamp that would be placed in the hands of the postmasters, where required, and sold to the organizations operating under this bill the same as ordinary stamps or special-delivery stamps are sold. The organization shipping the 20,000 bushels of wheat would purchase \$100 worth of stamps, which would be placed upon the bill of lading and applied to the Government loan. Therefore all advances made to the association of farmers would automatically liquidate themselves, with no risk whatever to the Government.

This amendment for the pending bill presents the well-known Yoakum plan of liberating agriculture and placing it upon a sound and business basis under the control of the farmers themselves. Mr. Yoakum is not a novice or a theorist in dealing with the great business of agriculture. It is well known that he drafted the original bill that created the Bureau of Markets in the Department of Agriculture. Mr. Yoakum is a well-known railroad builder. Out of the necessity for creating tonnage for railroads which he built he became vitally interested in agriculture. Since his retirement as a builder of railroads he has unselfishly and nobly devoted his splendid talents and fortune to a determined effort for the economic freedom of the farmers, unhindered and unhampered by political or governmental control.

The bill I offer as an amendment, presented to the Senate by the Republican leader and the recognized leader of his party in the State of Kansas, Senator CHARLES F. CURTIS, is a concrete product of the remarkable genius of B. F. Yoakum, the eminently practical and successful business man who is giving his life to the relief and freedom of the farmers.

The bill I present is the declaration of independence for agriculture, breathing the spirit of seventy-six, when it is re-

membered that 70 per cent of the signers of that immortal document were actual tillers of the soil. I ask for the earnest and candid consideration of the Members of the House, and that you act for the farmers as men, without reference to political or executive consideration.

The farmers of America are not weaklings or underlings, morons or mendicants, and they will not be made wards of the Nation by submitting to Federal control of their business. [Applause.] The Congress would not dare legislate to have the President appoint a board of managers to take control of the United States Steel Corporation or the cotton mills of New England, or the business of the Standard Oil Co. Then why should the American farmer, representing a business vastly greater than these three combined, or his real friends submit to such humiliating dictation by the Federal Government as proposed by the pending Haugen bill? This is the day for the friends of agriculture to stand up and be counted. You will have a chance. If you believe that the farmer is the courageous, conservative preserver of American institutions, loyal and unafraid in every hour of need in the Republic, then prove your faith in him by voting for my substitute, the Curtis bill, embodying the Yoakum plan and giving the farmer hope and relief by setting him free to handle his own business in his own way as he is fully capable of doing successfully and well. [Applause.]

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. RAKER. Could the gentleman advise the House upon this fact? The President's agricultural commission made its report. That report went to the Senate and to the House. The Agricultural Committee of the House in their bill endeavored to carry out the views of the President in that report. Is that correct?

Mr. ASWELL. Yes.

Mr. RAKER. And the Senate is attempting to carry out the views of the President in the amendment that the gentleman has suggested. Will the gentleman tell the committee how there can be such a divergence of opinion between the House committee and the Senate committee as the gentleman has just demonstrated by a comparison of these two bills, the Haugen bill and the Curtis-Aswell bill.

Mr. ASWELL. The Curtis bill was put on the Senate Calendar before the President appointed his commission, and the Agricultural Committee in the House has never considered this bill because we have been devoting two years to the McNary-Haugen bill.

Mr. RAKER. Does the Senator and the committee still stand on their bill?

Mr. ASWELL. I imagine they do.

Mr. TINCER. Oh, the gentleman knows that the Senate has favorably reported the Capper bill, which is the same bill as the one we are now considering, with the purpose of carrying out the Agricultural Commission's report. There is no conflict between the House committee and the Senate committee.

Mr. RAKER. Which bill does the President stand for?

Mr. ASWELL. I shall have to refer that question to the gentleman from Kansas.

Mr. TINCER. The Curtis-Aswell bill was reported out before the President's commission had been appointed, but since that time the Senate Agricultural Committee has reported out a bill identical with the bill that we are now considering, which has the backing of the President's commission—and the gentleman can draw his own conclusion from that.

Mr. COLE of Iowa. The gentleman from Louisiana used the name of Mr. Lowden. Are we to understand that he indorses this plan?

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. BLACK of New York. Can the gentleman tell us what effect this will have on the cost of living to consumers?

Mr. ASWELL. It will reduce the cost of living.

Mr. BLACK of New York. How does the gentleman work that out?

Mr. KINCHELOE. The gentleman refers to his own bill?

Mr. ASWELL. Yes, my bill. The last report of the Agricultural Department shows that the farmer received one-third for all agricultural products that the consumer paid for the same products, and that there is a \$15,000,000,000 spread. This bill brings them together and will increase the price to the farmer and reduce it to the consumer.

Mr. KINCHELOE. Mr. Chairman, if the gentleman will permit, in answer to the inquiry of the gentleman from California [Mr. RAKER], the majority members of the committee reported out what is called the Haugen bill, and the Senate committee was considering it, but had not yet decided to report it out, when word came from the White House to the majority members over there that they had to get that into the hopper pretty quick, and so they reported it out the last of last week. Those two bills are identical.

Mr. RAKER. Will the gentleman advise the committee what became of the McNary-Haugen bill that we had up last year?

Mr. ASWELL. It was defeated by a majority of 70, but it has been revived.

Mr. RUBEY. If the gentleman will permit, a modified form of it was reported out by the Committee on Agriculture to the House yesterday morning.

Mr. RAKER. And we have it back again?

Mr. ASWELL. Yes. The pending bill here, the Haugen bill, proposes a board of control for agriculture of five members at \$10,000 a year each, salary and expenses galore. The Haugen bill that is coming out to-morrow proposes another Federal board of 13 members.

Mr. RAKER. The reason I asked the question is this: We had the original McNary-Haugen bill, and then there is the bill that is reported out again by the committee, and then this Haugen bill, and then there is the Dickinson bill and the Aswell-Curtis bill and the Capper-Clapper or some other bill, so that it seems nobody understands what he wants so far as the membership of the House is concerned. My inquiry is, What is the poor farmer going to do?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. ASWELL. The only bill I consider worth while is my amendment embodying the Yoakum plan for the relief and freedom of agriculture. [Applause.]

Mr. HAUGEN. Mr. Chairman, I desire to ask the gentleman one question.

The CHAIRMAN. But the gentleman's time has expired.

Mr. HAUGEN. I shall ask it in my own time. The gentleman stated that the association would be free from interference or from restriction.

Mr. ASWELL. Except the restriction and regulation of the farmers themselves.

Mr. HAUGEN. But the gentleman overlooked one thing which is important, I believe.

Mr. ASWELL. What?

Mr. HAUGEN. And that is that this board, the Capper-Volstead board, are not producers, as defined in that act.

Mr. ASWELL. This amendment takes care of that.

Mr. HAUGEN. Oh, no.

Mr. ASWELL. Certainly, my amendment takes care of it by presenting new legislation for the liberty of the farmers.

Mr. HAUGEN. It grants the same immunities to the gamblers as to the farmers.

Mr. ASWELL. There are no gamblers on this board I present. Does the gentleman mean to say that one of these seven is a gambler? If so, let him name the gambler on this board.

Mr. HAUGEN. I do not know; but they may appoint some gamblers to succeed them, if they are not. Let me refer the gentleman to section 303 under the Capper-Volstead Act.

Mr. ASWELL. Oh, we are not discussing the Volstead Act.

Mr. HAUGEN. I will read the gentleman's bill:

The interstate association and State associations shall, for the purpose of this act, be deemed marketing agencies within the meaning of that term as used in the provisions of the first section of the act entitled "An act to authorize associations of producers of agricultural products"—

That is the Capper-Volstead Act.

Mr. ASWELL. May I answer that?

Mr. HAUGEN. They are in this bill.

Mr. ASWELL. Is the gentleman asking me a question?

Mr. HAUGEN. The gentleman grants immunity not granted under the Capper-Volstead Act.

Mr. ASWELL. Does the distinguished chairman of the committee want me to answer that question?

Mr. HAUGEN. Yes; it is in the gentleman's bill.

Mr. ASWELL. I will say to the gentleman that Congress need not worry about that point he raises, for the reason that this amendment turns the business of agriculture over to the farmer; the Federal Government and political administrations will have nothing to do with it.

Mr. HAUGEN. I have no quarrel with the gentleman as to membership; but the gentleman says we need not worry. We

have been worrying here for a half century, and we have been enacting laws to restrain these gentlemen from doing certain things, and now the gentleman proposes to set those laws aside.

Mr. ANDERSON. Mr. Chairman, I make the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. ANDERSON. Mr. Chairman, the pending amendment, as well as the pending bill, creates a Government board with certain general powers in the promotion of cooperative organizations and with certain limited powers of regulation. The point I want to make specifically is that both the pending bill and the Dickinson amendment create a Government board functioning as such with sovereign powers of regulation. The amendment offered by the gentleman from Louisiana creates what is in all essentials a private corporation. It provides that certain persons, naming them, and their successors are hereby incorporated and declared to be a body corporate under the name, and so forth. There are a large number of provisions in this bill which are clearly outside, so clearly outside the Senate bill under consideration, or the Dickinson amendment, as to render the Aswell amendment not germane. But I shall refer to only one or two of them.

The Aswell amendment provides, for example, that this private corporation shall have perpetual succession; may sue and be sued in its own name; may make contracts; may acquire, hold, and dispose of property necessary for the carrying out of the purposes of the corporate. It provides it shall have such powers not specifically denied by law as necessary and proper to conduct, under this act and in accordance with approved business methods, the business of cooperatively processing, preparing for market, handling, storing, and marketing the agricultural commodities, and such further business as is necessary and incidental thereto. In other words, it is not a bill to promote cooperative marketing such as the pending bill and the amendment, but a bill to establish a private corporation to engage in the business not only of cooperative marketing but of manufacturing processes and all the incidental functions which go with a private corporation organized for such purposes. Now, this is demonstrated by the gentleman from Louisiana himself, because he strikes out of this bill, knowing that that provision was not germane, section F, on page 4, which provides:

(1) To acquire, construct, maintain, and dispose of, or acquire the rights of operation of (1) storage warehouses for agricultural commodities, (2) facilities for transportation (otherwise than as a common carrier) in connection with the storage of such commodities, and (3) facilities for processing such commodities.

Mr. ASWELL. Will the gentleman yield?

Mr. ANDERSON. When he struck that out the gentleman did not limit at all the provisions of his amendment, because it provides that this private corporation may exercise certain functions in the processing of commodities in preparing them for market, in the handling and storage of them, and that it may own and acquire and hold the real estate necessary for such purpose. Now, is it necessary to own packing houses in order to process livestock products? Of course it is. Is it necessary to own storage elevators to engage in the marketing and cleaning of grain? Of course it is. These provisions are clearly outside of the limit of the scope of the Haugen bill or the Dickinson amendment. However, if there were any question about it section 301 of the Aswell amendment is so far outside the scope of either of the other two as to be clearly not germane to the provisions of either of those propositions. It provides:

There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated the sum of \$10,000,000, which, as appropriated, shall be set aside and reserved as a revolving loan fund in the Treasury available to the interstate association until December 31, 1935.

Section 302 provides for the loan of this fund appropriated through the private corporation created by this bill to certain cooperative associations which are to be promoted by it. Now, it seems to me that to a bill creating a Government commission to promote through the Government agencies cooperative enterprises the proposition to appropriate \$10,000,000 and to loan it out to cooperative associations is clearly not germane. If there were any question about the other provisions to which I referred, to which I think there is not—

Mr. ASWELL. Will the gentleman yield?

Mr. ANDERSON. I will yield to the gentleman.

Mr. ASWELL. The gentleman referred to section F, page 4. I do not see why the gentleman referred to that, because that is not in the amendment, and I do not understand why he makes that point. It is not in the amendment at all.

Mr. ANDERSON. The point I made was that the gentleman struck it out because, as I assume, he must have recognized the fact that that provision clearly was not germane to the bill or to the pending amendment.

Mr. ASWELL. No. I explained that.

Mr. ANDERSON. But in striking it out the gentleman has not changed the character of his bill at all, because the corporation still has the power to do all the things that were provided by subsection F.

Mr. ASWELL. The gentleman does not agree with the other expert parliamentarians of the House.

Mr. ANDERSON. I frequently find myself in disagreement with expert parliamentarians of the House, of which I am not one.

Mr. ASWELL. Those expert parliamentarians have informed me that that was an objectionable feature—objectionable to them. It was not objectionable to me. It was stricken from the amendment. Why should the gentleman discuss it? It is not in the amendment now.

Mr. ANDERSON. I discussed it because the gentleman has stricken it out of his amendment, because he knew or had been advised that it was not germane. But after he struck that out he left in the bill the other provisions that make the bill of the same character still.

Mr. ASWELL. I struck it out to please the parliamentarians.

The CHAIRMAN. Does the gentleman from Louisiana wish to be heard?

Mr. ASWELL. Yes. In the Dickinson amendment it is provided that there shall be created a similar Federal marketing board, except that in the Dickinson amendment the board is appointed by the President of the United States at salaries of \$10,000 a year, whereas under my amendment the same board is created after the first year by the State organizations without salary, except as the State organizations agree upon.

You will notice, Mr. Chairman, that nearly 50 per cent of the Dickinson amendment is the identical, exact language of my amendment, or the Curtis bill, which has been printed for nearly two years. You will notice, Mr. Chairman, that half of the Dickinson amendment is the identical language of the amendment I have offered. The only difference is that the Dickinson amendment provides for Federal control, a Federal-appointed board, to do the identical thing that my amendment provides to be done by a board created by the State organizations, to be handled by the farmers themselves. It is only a question as to the method of handling; but I think you will recognize that it is the long-established parliamentary custom that when two measures have an unquestioned identical purpose, the same purpose, they are germane; and I base my statement upon that recognized fact in parliamentary procedure, that when two measures have an identical purpose, they must be germane, although they may differ in the method of procedure.

I have discussed this matter privately with numbers of gentlemen in this House for whom I have the greatest respect as expert parliamentarians, and I have not found a single man yet, except one, to raise the question of germaneness to my amendment, offered to that of the gentleman from Iowa [Mr. DICKINSON]. I think therefore, on mature deliberation, the Chair will be bound to hold that the House should have a right to vote on this matter, and that the House should have an opportunity to determine whether the farmers will be controlled by the Government or by themselves.

The CHAIRMAN. The Chair is ready to rule. The Chair is unable to agree with the statement of the gentleman from Louisiana [Mr. ASWELL] that the fact that the general purpose of his amendment is the same as the Dickinson amendment, or is the same as that of the original bill, would necessarily make it in order. The amendment of the gentleman from Louisiana provides for the organization of a corporation and authorizes an appropriation of \$10,000,000 to be set aside to be used by this corporation. It also authorizes this corporation to make loans to certain other associations. It provides that the "interstate association" shall be deemed a marketing agency within the terms of another act respecting marketing corporations or associations so the corporation is authorized to engage in the marketing business. No similar provisions are found in the Dickinson amendment. It appears to the Chair that an entirely different method is provided for carrying out what might be somewhat indefinitely called the general purposes of the original bill and the Dickinson amendment.

The rule with reference to amendments of this character, in the judgment of the Chair, was well stated by Chairman Fitzgerald in a decision made on September 22, 1914, in the Sixty-third Congress, in which he said:

Any amendment to a section which is relevant to the subject matter and which may be said to be properly and logically suggested in the perfecting of the section in the carrying out of the intent of the bill, would be germane to the bill and thus in order. To determine whether an amendment is relevant and germane, while not always easy, can best be done by applying certain simple tests. If it be apparent that the amendment proposes some modification of the bill, or of any part of it, which from the declared purposes of the bill could not reasonably have been anticipated and which can not be said to be a logical sequence of the matter contained in the bill, and is not such a modification as would naturally suggest itself to the legislative body considering the bill, the amendment can not be said to be germane.

It is not necessary for the Chair to go quite as far as this language would indicate the rule to be, to hold that the amendment is not in order. The Chair has carefully considered the matter, and the point of order is sustained.

Mr. TINCHER. Mr. Chairman, I rise in opposition to the Dickinson amendment. I ask unanimous consent that I may proceed for 15 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that he may proceed for 15 minutes. Is there objection?

Mr. KINCHELOE. Mr. Chairman, I reserve the right to object. I have no disposition to cut off debate, but I want to be heard on it.

Mr. WEFALD. Reserving the right to object, I want it understood that the same courtesy shall be extended to other Members of the House.

The CHAIRMAN. The gentleman from Minnesota expects the gentleman from Kansas to agree to that.

Mr. WEFALD. He does not always yield to answer questions.

Mr. TINCHER. I have never objected since I have been here, for six years, to any man.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas [Mr. TINCHER] that he be permitted to proceed for 15 minutes.

There was no objection.

Mr. TINCHER. Mr. Chairman and gentlemen of the House, the gentleman from Louisiana [Mr. ASWELL] stated on the floor a few moments ago that his amendment had the same purpose as the Dickinson amendment. For once I want to register my agreement with a statement made by the gentleman from Louisiana. His amendment was offered this morning for exactly the same purpose as the Dickinson amendment was offered to the Haugen bill, namely, to kill the Haugen bill. That was the purpose of both of them.

Mr. CARTER. Will the gentleman yield? How will it kill the Haugen bill?

Mr. TINCHER. Well, I did not yield to my friend, but if you adopt that bill as a substitute for the Haugen bill, you will not have the Haugen bill, and if the committee should adopt it or the House should adopt it, anyone knows it will not be the Haugen bill. I will read to you how it will kill it and I will not read it from a Republican. I will read it from a Democrat—

Mr. CARTER. That will be good authority.

Mr. TINCHER. Who represents more farmers in America than any other man in America, engaged in farm organization work? I will read it from a man who is not acting as the representative of some cooperative association. Some of us have forgotten that we were not sent here to represent officers of some cooperative association. I want to read it so we may all understand it:

THE INTERESTS OF THE AMERICAN FARMER ARE SERVED BY THE CAPPER-HAUGEN BILL

(By Charles S. Barrett, President National Farmers' Union)

Deliberate misstatements and selfish opposition have arisen against the recommendations of the President's agricultural conference regarding its recommendation for the cooperative marketing of farm products. Legislation incorporating these recommendations in the form of the Capper-Haugen bill is now before Congress. This legislation proposes to set up a Federal board, selected by the farmers themselves, which board would not only promote and serve cooperative marketing associations but would represent the interests of the American farmer.

It is stated by those who are opposed to this bill, that it would involve the Federal Government in the actual management of cooperative associations and would stifle and kill the cooperative movement in this country. The contrary is true. This plan, if authorized by Congress, will act as the greatest single effort ever put forth to help the farmer organize his own marketing associations in a sane and constructive manner. Furthermore, it may be the salvation of the cooperative movement, and the means of saving some of the coopera-

tive organizations that are in difficulties at this time. During the past 20 years I have constantly and bitterly opposed Federal domination in agricultural matters and I am vigorously supporting this measure for the very reason that it gives assistance and service to the American farmer through a board of his own selection. A board designed to help him but not to dictate to him.

Early in January, officials of the National Council of Cooperative Marketing Associations met in Washington, almost a month before the President's agricultural conference made its recommendations on cooperative marketing; in fact, before the conference had reached any conclusions on this subject. Even before the meeting of this cooperative association a statement was given to the press by their press agent that they would oppose all legislation before the Congress relating to cooperative marketing and any sort of farm legislation. It launched its attack on cooperative marketing legislation before the conference recommendations were known and it has deliberately continued this attack without presenting one single legitimate argument against the Capper-Haugen bill. As these gentlemen, who claim to represent the farmers, say they are opposed to all agricultural legislation must we assume that no legislation is necessary? Are they truly representing the farmer? I have known the membership of the organizations represented in the National Council for years and I know they want legislation as a means of restoring agriculture to a profitable basis. In view of this fact, I know that the council does not represent the views of its members or farmers generally.

An explanation appears necessary in connection with the activities of the National Council of Cooperative Marketing Associations. At the time it launched its first attack, and before the conference made its recommendations, several cooperative bills were before Congress. The conference studied all these bills most carefully. It found good points in most of them, but no single bill met the problem in a satisfactory manner. Some of them were far-reaching in scope and would have involved the Federal Government in the operation of cooperative organizations. The national council might have been justified in its original attack on pending legislation, but not in the present instance. Every semblance of Federal interference is far removed from the Capper-Haugen bill.

By carrying the indorsement of the President's conference, it is approved by the heads of the American Farm Bureau Federation, the National Grange, the National Livestock Association, the National Farmers' Union, and other agricultural representatives. It is opposed by a small group of cooperative leaders in Washington who are desirous of making their organization the representative of the cooperative movement in the United States. It is unfortunate that there is not time between now and the 4th of March for the millions of the American farmers to be heard and to learn from them whether they consider legislation necessary at this time.

Let us consider the provisions of the Capper-Haugen bill. It sets up a Federal board of five members, to be appointed by the President from nominations made by the farmers themselves acting through their cooperative associations. The five men composing the board must be experienced in agriculture and marketing, and one member will represent each of the following agricultural groups: Livestock, grain, dairy and poultry products, cotton and tobacco, and fruits and vegetables. The Secretary of Agriculture is an ex-officio member of the board, in order that there may be cooperation between the board and the Department of Agriculture.

The question naturally arises, What can this board do for the farmer? Let us assume, for instance, that a group of farmers in Georgia wanted to organize a cooperative association but did not know the necessary steps to take. Upon the request of these farmers, the board would make a survey and investigation as to the best type of organization suited to their purpose, and would then advise them and assist them in completing their organization. There is nothing in the bill requiring the farmer to follow these recommendations.

Upon application, and purely as a voluntary action, cooperative associations could register with the Federal board. Upon the request of an organization, it could call upon the board for an audit of its books, and each registered association would submit regular sworn statements as to its financial condition. What sincere cooperative leader would object to furnishing the members of his association with a statement as to the conduct of the organization or as to the condition of its finances?

Farmers are entitled to the same knowledge as to the condition and management of a cooperative organization to which they belong as are the depositors in national banks. Scores of organizations have failed because of faulty handling of their finances. Proper audits would go a long way in keeping cooperative organizations out of financial difficulties. If an association is broke the sooner its members know it the better.

Then, again, let us assume that one of the organizations registered by the Federal board should have difficulty in finding a market for its products on account of overproduction. The association could call upon the board for an immediate nation-wide or world-wide survey to

determine the best outlet for this surplus. The board would act as the sales representative of the organization in this or in foreign countries.

Perhaps this same organization might find it necessary to make specific recommendations to its members looking to an adjustment of acreage so that supply might more truly meet demand. To cooperatives this means a "production program." To undertake such a program to-day is in violation of antitrust laws. The Capper-Haugen bill, among other things, would legalize production programs and enable organizations to exchange information in order to not only regulate production but to bring about more orderly marketing.

The proposed board would not interfere with any governmental department or agency, but it would have the power to call upon any Government department for assistance in handling any problem confronting any agriculture either in production, distribution, transportation, or finance. It could call for assistance from the Departments of Agriculture or Commerce, from the Federal Trade Commission, the Interstate Commerce Commission, the Tariff Commission, or any other agency of the Government. The board would be independent of any Government department and free to act quickly and without any of the encumbrances so frequently noted in Government agencies.

The board will be the direct representative in Washington of the farmer selected by the farmer. Farmers could place their problems and difficulties before the board and either get action or select others to represent them. Adoption of this plan means that farmers will choose their own representatives on a board, clothed with all the power of the Federal Government, to see that the laws enacted for the benefit of agriculture are properly administered. It is absurd to think that this can be done at the present time. For example, if a farmer wants to get action from the Interstate Commerce Commission to-day he has to hire his own legal and traffic experts and then spend a lifetime arguing his case before the commission before he can ever expect to get relief.

Important information from foreign countries as to the probable demand for American products or the possible competition with other countries as received by the Department of Agriculture or other agencies would be interpreted by the board and sent to associations in the shortest possible time. Cooperative associations would be kept in touch with the market needs in this and foreign countries, thus giving to farmers practical interpreted information which they have needed since American agriculture was first faced with its present economic problems.

These are only a few of the many services which would be made possible under the proposed law.

The President's agricultural conference in proposing through the Capper-Haugen bill to set up for agriculture the same kind of an agency that other industries have perfected through trade organizations to look after their interests. It is not expected that the proposed law will be a panacea for all agricultural ills, but it is one of the things necessary to establish agriculture on a sound basis. There are other problems confronting the American farmer that must be solved. The proposed law interferes with no other suggested solution of the farmer's problem. The agricultural conference has much work ahead, many problems to solve, but from my association with the conference, I can frankly say that each and every member of the conference is most desirous of working out a plan and suggesting legislation that will be constructive and will be the means of establishing American agriculture on a sound economic basis.

Mr. RAKER. Will the gentleman yield for a question?

Mr. TINCHER. Certainly.

Mr. RAKER. Was the Dickinson bill before your committee when it had under consideration the Capper-Haugen bill?

Mr. TINCHER. Absolutely.

Mr. RAKER. And the committee concluded not to report it?

Mr. TINCHER. It was offered as a substitute for the bill by some member of the committee; I do not remember now who offered it, but by practically a unanimous vote it was rejected as a substitute.

Mr. RAKER. Is it the gentleman's view that the present bill before the House takes the place of the McNary-Haugen bill that we had before us at the last session?

Mr. TINCHER. No; I do not want to say that. The bill before the House now is an altogether different proposition to the McNary-Haugen bill that was before us at the last session. That bill established an export corporation to be handled by a Government agency and it was drawn along entirely different lines than this bill.

Mr. RAKER. I am seeking information so that the committee may have it. Will the gentleman, in his forcible way and with his familiarity with the bill, tell the committee briefly what is the crux of the bill and what will be accomplished by this bill if it is enacted into law?

Mr. TINCHER. I want to say on behalf of the agricultural commission that they worked jointly in preparing the state-

ment issued by Mr. Barrett, which I have just stood here and read to the gentleman. I could not improve on that language to save my life, and if the crux is not in there then there is not any crux at all. However, the bill will do what that statement says it will do. After having heard the evidence I honestly believe that they have not exaggerated anything in the statement the agricultural commission has issued.

Mr. RAKER. Just one other question, and this is no reflection upon anyone. What peculiarity had the members composing this commission which gave them in that short time an opportunity to present a bill that would improve all of these conditions and cure the evils that now exist?

Mr. TINCHER. That is not a question. The only peculiarities which the men constituting the President's commission have are that they are honorable men; they are men past middle age; five of them were at the head of five of the biggest farm organizations in America; they were selected not because of their political standing but because of their connection with farmers, and the difference between the Haugen bill and the substitute offered for it is that the Haugen bill is calculated to do something for the farmer and it is O. K'd by the representatives of the farmer himself, while the substitute offered and on which we are called upon to vote was prepared for the purpose of pleasing and is calculated to please and suit the salaried heads of the cooperative marketing associations.

Mr. DICKINSON of Iowa, Mr. RAKER and Mr. WATKINS rose.

The CHAIRMAN. Does the gentleman from Kansas yield, and if so, to whom?

Mr. WATKINS. If the gentleman from California will permit, I want to answer the gentleman from Kansas through a Republican.

Mr. RAKER. No. Then the reason the gentleman gives is because these men had experience in this matter?

Mr. TINCHER. Yes. The gentleman must remember that there were lots of bills pending in Congress. They had a lot of Congressmen before them to explain their bills. The gentleman from Iowa [Mr. DICKINSON] explained his bill and I had the honor of appearing before the commission. I hoped they would adopt the cooperative marketing bill which I introduced on June 7, and I thought I had the last word on it. But I am not going to attempt to thwart the interests of the American farmer because the President's commission could not take my bill, which I know had more merit than the Dickinson bill [laughter], instead of presenting their own ideas. There is not anything to the substitute. If you adopt the Dickinson substitute—

The CHAIRMAN (Mr. DOWELL). The time of the gentleman from Kansas has expired.

Mr. TINCHER. Mr. Chairman, I ask for three more minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. DICKINSON of Iowa. I would like to ask the gentleman from Kansas who makes up the national cooperative producers and marketing associations? If it is not the farmers, who are producing the raw products, I am very much mistaken, and nobody knows that better than the gentleman from Kansas.

Mr. TINCHER. I know all about that, but I know this, too: If you do something for the membership it sometimes interferes with the chair-warming executive officers they have.

I believe the five men on this commission representing the farmers direct come nearer speaking their sentiments than anyone else. There has been some mystery about this. I have been twitted over here somewhat by some of you men on the proposition of "What does Barrett say?" Charlie Barrett is the head of the Farmers' Union of America, and has held that position by reason of his qualifications longer than any other man in America ever held it, and I do not see why he would do it either, being a Democrat, but you will never ask the question again, "How does Barrett stand?" It will be perpetuated in the Record for your reading, and I repeat that Charlie Barrett represents directly more farmers in America than any man who is opposed to this bill.

Mr. CARTER. Will the gentleman yield?

Mr. TINCHER. Yes.

Mr. CARTER. The gentleman has spoken very highly of Mr. Barrett, and I think very highly of him myself, but at the very best, he is one of the salaried men, is he not?

Mr. TINCHER. He is a member of the President's commission. No; Charlie Barrett is not a salaried man in a cooperative association.

Mr. CARTER. No; not in a cooperative association, but in a farmer's association.

Mr. TINCHER. Yes; and his interests are with the farmers. I hope he continues to hold his job, and if he does he will hold it by representing the views of the farmers.

Mr. CARTER. That is the way the others hold theirs.

Mr. TINCHER. No; Charlie Barrett is elected by reason of his qualifications, and if the bill that he recommends is passed the farmers can get along without a lot of these high-salaried gentlemen who are opposed to the bill.

Get Shapiro's testimony and read it, and then read the speech of the gentleman from New York [Mr. JACOBSTEIN], made here the other day, and see if they have not been comparing notes, and Shapiro claims to have made over \$1,000,000 organizing the farmers. They both talk the same language. Get Shapiro's testimony before our committee and read it, and then read the speech of the gentleman from New York, made here the other afternoon, and see what a coincidence it is that the minds of these great men are running in the same channel, and then consider the proposition that Mr. Shapiro has made over \$1,000,000 by organizing farmers, and then remember also that most of his organizations have failed.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 40 minutes and that the time be equally divided between those for and against, and that the gentleman from Kentucky [Mr. KINCHELOE] shall control the time in favor of the amendment and that I may control the time against it.

The CHAIRMAN. Is there objection?

Mr. JONES. Reserving the right to object, Mr. Chairman, there has just been 18 minutes used by those against the amendment.

Mr. VOIGT. Mr. Chairman, I object.

Mr. HAUGEN. Then, Mr. Chairman, I move that all debate on the section and all amendments thereto close in 40 minutes.

Mr. DICKINSON of Iowa. Mr. Chairman, I offer as a substitute to strike out the figure "40" and insert in lieu thereof the figure "60."

The CHAIRMAN. The gentleman from Iowa [Mr. DICKINSON] moves to amend the motion by striking out the figure "40" and inserting the figure "60." The question is on the amendment to the motion.

The question was taken; and on a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 63, noes 54.

So the amendment was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Iowa [Mr. HAUGEN] as amended.

The motion was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask unanimous consent, in order that there may be no difficulties about this, that the time may be controlled one-half for by the gentleman from Kentucky and one-half against by the gentleman from Iowa.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. KINCHELOE] for 30 minutes.

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, the gentleman from Kansas [Mr. TINCHER], whenever he takes the floor on a proposition in advocacy of either side of it, not only advocates his side of it but by innuendo, if not by direction, insinuates that all those who are opposed to him either have sinister motives themselves or are representing some paid lobby around Washington.

You know, I have always heard the adage that "a barking dog never bites," and if that adage is true among the canine tribe it is certainly true with the gentleman from Kansas.

I remember the gentleman from Kansas appearing here and cursing out the sugar lobby here in Washington, and I agreed with him. That was when we had up for consideration a bill to have the Sugar Equalization Board pay some claims, and I joined with the gentleman from Kansas in good faith against that measure, and we put up a good fight. We put up such a good fight that we had the proponents whipped to a frazzle, so they never even reported the bill to the House from the Committee of the Whole. That was just before the election of 1922. But when we came back here after the election, with a large number of lame ducks on hand, and that bill came up under a special rule, which was carried around in the pocket of the gentleman from Kansas, Mr. Campbell, chairman of the Committee on Rules, and a colleague of the gentleman from Kansas [Mr. TINCHER], the gentleman from Kansas [Mr. TINCHER] was out in Kansas that day; so the rest of us made the best fight we could, but got licked by the lame-duck votes.

The gentleman also, at the last session, was very enthusiastic for the McNary-Haugen bill. It was to him the last word in farm legislation, and the only thing that was going to put the farmer on his feet. It was defeated here by a decisive majority. The Agricultural Committee this week reported out the McNary-Haugen bill in a modified form and placed it on the calendar. The farmers of the country are in a worse condition now than when it was beaten before. The gentleman from Kansas, who is a member of the steering committee, also an intermediary between the House and the White House, I ask him, Do you propose to go before the Rules Committee, as a member of the steering committee, and get them to report out a rule to make the McNary-Haugen bill in order?

Mr. TINCHER. Certainly not.

Mr. KINCHELOE. Certainly; that is what I said; barking dogs never bite. [Laughter.] The gentleman from Kansas says that everybody opposed to this bill is representing cooperative market associations who have paid lobbyists in Washington. I have nothing to say against Mr. Barrett. The gentleman from Kansas says it will be fully noted since he read his letter where Barrett stands. Mr. Barrett can express himself at a long distance better than any member of any organization I know of. We tried to get him before our committee, but he wrote a letter. Let us see where Barrett stands. We had before our committee Charles W. Hollman, who testified that he was secretary of the National Board of Farm Organizations, and then he gave a list of 25 cooperative associations he represented and spoke for. After speaking of a group that stand for regulation and control of cooperatives but which are not within the organizations that he represents, he says:

The final group are those who want sympathetic assistance from the Government, without any regulation, registration, or control whatsoever. The various organizations under the name of the National Board of Farm Organizations are unanimously agreed to that extent—they want sympathetic assistance. They are directly and positively opposed to any form, at the present time, of governmental regulation or control. They do not believe that that would be a sound policy for the United States Government to adopt with regard to cooperatives.

He is the secretary of the National Board of Farm Organizations. Who is president of that? Let us see where Barrett now stands. Mr. Charles E. Barrett is president of that organization composed of 25 cooperative farm organizations. He comes through the secretary and says to you through the Agricultural Committee that they do not want any of this. The Republicans have been in power since 1919, in both branches of Congress; you have been promising the farmer remedial legislation ever since you came into power.

The gentleman from Kansas, when they passed the emergency tariff bill on certain agricultural commodities to put the farmer on his feet, said that the farmer had been discriminated against. That this tariff would make him prosperous. You passed that bill, and every article six months afterwards decreased in value in the hands of the farmer.

Then came the Fordney-McCumber tariff bill, and you said you would not only put a permanent tariff on farm products, but you would enact a flexible provision to increase or decrease the tariff on commodities 50 per cent by the President, upon recommendation of the Tariff Commission.

You did that and your own Tariff Commission recommended to the President an increased tariff on wheat of 12 cents. You put that on and made it 42 cents, and to-day wheat is selling for 6 cents more in Winnipeg than it is in Minneapolis.

The Tariff Commission recommended a reduction in the tariff of 1 cent a pound on sugar last fall, and the President of the United States was going to act on that so quickly that he took it up to his hay farm in Vermont, and was going to act on it while he was putting up his hay, but he has not acted on it yet, and he is not going to act on it. If you take the tariff of 1 cent a pound off of sugar you would save the consumers of this country \$110,000 a day. And yet the sugar interests of this country have their lobbyists around Washington, but no relief yet, and there will not be any.

Now, coming back to this bill a minute. What does this bill do? I said in my speech the other day that there is not a cooperative market association in the United States for the bill. This is a Federal vaccination bill. The cooperative associations say to the Federal Government, "Let us alone; we will work out our own destiny; all we want is sympathetic assistance from the Government."

But the Government says, "Oh, no; you do not know what you are talking about; you need a little Federal virus injected. You think it will not do you any good, but it will, and we pro-

pose to shoot it into you." [Laughter and applause.] The gentleman from Kansas is fostering this bill, which is a compulsory Federal vaccination bill. [Laughter.]

Now, why am I for the Dickinson amendment? Because it takes the teeth out of this. If his amendment is adopted the Federal board has no power to make them register. It has no power to examine them, it has no power to make them make reports, it has no power to set up an arbitration proposition that is compulsory. The only power it has, the only power any cooperative board ever ought to have, is, in effect, saying to the cooperative associations, "We are ready to assist you; we are not going to discriminate between those who come in and those who stay out; we are going to help all of you," without any power to register, without any control over it at all, just to give them assistance and encouragement. That is all this is. I challenge anybody's memory of legislation in the world to produce a situation similar to this. Here you have a bill brought before a legislative body, the purpose of which is to help particular kinds of organizations, and yet every one of those organizations is against the bill. There never was anything like it in the world. As I say, they say it is good for you anyhow. I want to see the Dickinson substitute adopted.

You will have a cooperative Federal board with only cooperative powers to assist and encourage the cooperative associations of this country. All of them are protesting against the pending bill. You have been getting telegrams from everywhere. I invite your attention to the speech that I put in the Appendix of the CONGRESSIONAL RECORD on Monday, where I set out every one of these associations that are against it. None of them are for it. If they are not for it, why should we force it upon them? Because, forsooth, the President's commission said that we had to take this or nothing. Oh, this administration always comes in in the closing days of a session and says that we must take this or nothing. In the closing days of the last session they said to us that we had to take the McNary-Haugen bill or nothing at all, and now they tell us that we have to take this Haugen cooperative bill or that we get nothing.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. BANKHEAD. Are these cooperative marketing associations in favor of the Dickinson substitute?

Mr. KINCHELOE. I do not know that they are so much in favor of it as they are against the bill now pending. They do not want any regulation; but under the Dickinson bill, if the board has any very wholesome advice to give, of course they will take it. They do not want to submit themselves to Federal registration, where people come down and look at the books, and where there is no appeal to the courts.

Mr. CARTER. This takes the farmer right out of the courts entirely.

Mr. KINCHELOE. Absolutely. They seek to deprive the farmer of his right to a day in court in his own country. The gentleman from Michigan [Mr. WILLIAMS], in his speech the other day, "admitted" that he was the initiator of the principle of the Federal commission. Mr. Hearst, of Iowa, testified before the committee that Secretary Hoover made a speech last year, and he puts it in the RECORD, saying that he wrote the Williams bill. He not only wrote it, but he advocated it, and this agricultural commission recommended that Mr. Hoover be a member of this board. Another thing: I heard the gentleman from Kansas [Mr. TINCHER] stand up on his "hind legs" before the Agricultural Committee so often and cuss Hoover and say that he was trying to monopolize all of the activities of the Agricultural Department that he made all of us think so, and we cut Mr. Hoover out of this bill, so far as being a member of the board.

Mr. TINCHER. Oh, the gentleman never heard me curse Mr. Hoover in his life.

Mr. KINCHELOE. Oh, I never have heard the gentleman cursing in a profane way, but I have heard him say that Mr. Hoover was trying to monopolize everything in agriculture. I have heard the gentleman from Kansas talk about Mr. Hoover monopolizing the activities of the Agricultural Department, and I have heard him do that more before the Committee on Agriculture of the House than any member on it, and I ask any members of that committee if that is not true.

Mr. TINCHER. Mr. Chairman, in order that the Members may know the truth about this, all of our hearings and statements are printed. I never correct my remarks. I never abused Mr. Hoover in my life.

Mr. KINCHELOE. Not only did the gentleman "cuss" Mr. Hoover but Mr. Jardine, whom the President has appointed Secretary of Agriculture, did more than any other citizen of

the United States, in my judgment, to defeat the McNary-Haugen bill.

Mr. BARKLEY. Was there a stenographer in the committee when this "cussing" was going on?

Mr. KINCHELOE. Oh, that was in executive session—of course not. [Laughter.] Why, after Mr. Jardine joined in with us against the McNary-Haugen bill and defeated it, the President asked the O. K. of Mr. Hoover, Secretary of Commerce, as to whom he should appoint Secretary of Agriculture, and finally agreed on Mr. Jardine; but before it was finally given out that that appointment had been made, with Hoover's O. K., the gentleman from Kansas and the rest of the delegation had indorsed another Kansan for the position, and as soon as they heard what Mr. Hoover said they jumped around and finally indorsed Mr. Jardine. [Applause and laughter.]

Mr. WILLIAMS of Michigan. Mr. Chairman, in the first place, I want to divert my remarks long enough to say that Mr. Hoover did not write the bill that I introduced in this Congress, and, furthermore, in the speech that Mr. Hoover delivered, and which has been referred to, Mr. Hoover did not say that he had done so. He merely said that he had made suggestions and that those suggestions with other suggestions were embodied in the bill referred to.

Mr. KINCHELOE. Oh, that is a question as between Mr. Hoover and the gentleman.

Mr. WILLIAMS of Michigan. I shall not discuss that further. We have not heard much this afternoon as to what is in this Dickinson bill. Anyone who is opposed to all legislation by Congress at this session can with ease to his conscience support the Dickinson bill, because he will get just exactly what he wants—nothing.

All through this Dickinson bill there runs the one idea of extending advice and counsel to the farmer, and it is proposed to give him \$500,000 worth of such advice. That is practically all there is in the Dickinson bill. I have here a letter which has gone to Members of Congress from the Dairymen's League Co-operative Association, received within a day or so, in which this language, referring to the Dickinson bill, is used:

Unlike other bills presented to Congress, it restricts the powers of the marketing board to advice and assistance to be rendered to the co-operatives through agencies created by them, and such assistance and aid is to be given when requested.

Mr. VOIGT. I would ask the gentleman would he give the farmer \$500,000 in addition to advice and assistance?

Mr. WILLIAMS of Michigan. I have not the time in five minutes to go over the proposals outlined in the committee bill, but I want to say to you that if this Congress adjourns and all that it does for the farmers of this country is to provide for \$500,000 of advice we have accomplished very little. We will be subjecting ourselves to severe criticism.

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. WILLIAMS of Michigan. I have not the time. I would suggest instead of doing this that we meet in joint conference with the Senate, go out on the front steps of the Capitol, give three rousing cheers in favor of cooperative marketing, suspend the rules, and throw our hats 10 feet in the air. If we do that, we will accomplish just as much for the farmers of this country as we will to provide for \$500,000 worth of advice.

Mr. McSWAIN. Will the gentleman yield?

Mr. WILLIAMS of Michigan. I will.

Mr. McSWAIN. The gentleman is a member of the Committee on Banking and Currency?

Mr. WILLIAMS of Michigan. I am.

Mr. McSWAIN. It is a notable fact that that committee got a bill out for the bankers in time to be carefully considered more than 30 days ago. Can the gentleman explain why farm legislation has to wait until the tail end of the session of the Congress? [Applause.]

Mr. WILLIAMS of Michigan. It was no doubt because of the fact the President had announced that he was going to appoint a nonpartisan conference, which he did, and because that conference was not appointed until after election, so it would not influence the election or be brought into politics.

Mr. CARTER. Will the gentleman yield?

Mr. WILLIAMS of Michigan. I can not, I have only five minutes.

Mr. CARTER. I want to get some information.

The CHAIRMAN. The gentleman declines to yield.

Mr. WILLIAMS of Michigan. I have not the time, otherwise I would be very glad to yield. That conference took this whole subject up and spent three or four weeks around the table, heard the different elements of the country who are interested in the various phases of this matter, and then pre-

sented a program to this House. Now, do you want to take a substitute prepared in the interest of those who are opposed to all legislation, and adopt that in preference to a well thought-out plan that has not only run the gauntlet of the President's conference, but has been considered some two weeks by our Committee on Agriculture of this House?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I yield two minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Chairman, representing a great agricultural district largely engaged in diversified farming, I am, of course, vitally interested in any proposed legislation which has for its object the alleviation of the present economical conditions of the agricultural classes. I have given careful consideration to all the pending proposals that are intended to improve agricultural conditions. Candor compels me to say that in my humble opinion none of these measures will afford substantial and permanent relief for the agricultural classes. All are, at best, only gestures toward relief of existing conditions. In the last analysis they are only palliative measures. They do not and will not go to the heart of the perplexing problem.

No new, novel, or comprehensive plan of relief is proposed. They offer nothing that will relieve the farmer from the economic handicap under which he has so long suffered.

I therefore find myself unable to work up very much enthusiasm over this bill or over the proposed amendments. I am, nevertheless, exceedingly anxious to do everything that can be done for the relief of the farming classes. They are far from prosperous, the administration, the newspapers, and periodicals to the contrary notwithstanding. I am sorry that a real, honest-to-goodness, comprehensive plan has not been proposed. We will get nowhere by playing with the subject. It is still the paramount issue, in my opinion. There can be no social rest or economic peace until the farmer is given equality of opportunity with other vocational groups.

However, I understand the President favors the bill we are now considering and that he desires its enactment. I know, of course, that this measure reflects the conclusions and recommendations of the Agricultural Commission appointed by the President. This being true I will not oppose this bill, although I am convinced that it is a makeshift and that it will prove a very great disappointment to the farmers. If I should oppose this bill and it should be defeated, then the President and his party would be in a position to say that the law, if enacted, would have worked wonders, and many would concur in that opinion. I am therefore willing to accept the bill for what it is worth, give it a fair trial, and see what it will do. I sincerely hope this is a better bill than I think it is. I would like to see it succeed.

I shall therefore vote for the bill. This is the administration bill. If it affords the farmers no relief the responsibility is on the President, because we are given to understand that we must take this bill or nothing. This measure may furnish the groundwork for a real, well-considered farm-relief measure at the coming session of Congress.

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. LOZIER. I regret that I can not yield as I have only two minutes. I have no time to discuss this matter in detail.

I am not willing to play politics when it comes to farm legislation. I am willing to go along with the President and vote for the enactment of this legislation and give it a fair trial, because if we do not the responsibility for having interfered with the program of the President will rest upon us. So I am going to support the pending bill. Not because it is perfect, not because it will give adequate relief, but I am not going to place myself in the attitude of opposition toward the administration on this bill when I know if we defeat this bill we will get nothing. If this bill has any merit it can be ascertained between this time and the time the next Congress convenes. For that reason I am opposed to the Dickinson amendment, because, at best, it is more of a weakling than the original bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KINCHELOE. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. VOIGT]. [Applause.]

Mr. VOIGT. Mr. Chairman and gentlemen, the object of both of these bills is to encourage cooperation among the farmers of the country, and as I have already said I shall go along with the committee on the Haugen bill, but I am seriously opposed to those features of the Haugen bill which are in effect compulsory. The Dickinson bill is in all substantial particulars the same thing as the committee or Haugen bill except there are omitted from it what, in my judgment, are these compulsory or bad features. Now, I call attention again to the

Haugen bill at page 9, where it is provided that when a cooperative applies for registration that it must satisfy this Federal board that its method of doing business is sound.

I am opposed to that. I think it is a very serious matter to say to a cooperative organization that notwithstanding it is doing business within the law and there is no objection to its course of business, yet nevertheless if it seeks to register down here in Washington, this Government board can direct the method by which it shall do its business. We do not demand that of any other organization or business in this country, and if you can direct the manner in which the cooperative business organizations or any other organizations shall do business, then you have made yourself a dictator over that business. I am not willing for my part to set up a governmental agency which can have the power of life and death over these cooperatives. I want an organization here like the board provided for in the Dickinson bill, to guide and encourage cooperation among the farmers of this country, or preferably an increased appropriation to the Department of Agriculture for expanding its present work along this line.

There was a letter read here from Mr. Barrett. Mr. Barrett calls attention to some of the valuable features in the Haugen bill, and calls attention specifically to the fact that this board may set up arbitration for cooperatives; that it may under circumstances audit the books of cooperatives; that these cooperatives may have a voice in the selection of this board. Now, gentlemen, I am not opposed to the cooperatives of the country having that power, and I am not opposed to conferring those benefits upon them. But what does the Haugen bill do? It says, in effect, to the cooperatives that "As the price of these privileges you must come down here to Washington and register, and before we will register you we are going to have something to say about how you are going to conduct your business."

That is the thing that I am opposed to. I see no reason why, for instance, arbitration can not be provided for all of the cooperatives of the United States. They are all paying taxes; they are all engaged in the cooperative movement. Why, in the name of common sense, should we limit the benefits of this bill, the auditing of books, the arbitration, a voice in the selection of this board, the grading of commodities, and so forth, to cooperatives that are registered?

I say, give us the Dickinson bill and we shall do something real for the encouragement of the cooperative movement. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

The CHAIRMAN. The gentleman from Kansas is recognized for five minutes.

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, to the personal allusions of certain gentlemen I shall make no reference, except to state that I shall not touch my remarks; I shall not make any change in them; and if any Member of this body or any colleague of mine thinks that I said that anybody was actuated by a lobby in standing for the bill, I ask you in examining my remarks to bear in mind that that statement on the floor is comparable to other statements made of a personal nature by the distinguished gentlemen.

Now, the gentleman who has just left the floor, the gentleman from Wisconsin [Mr. VOIGT], is probably as able a Representative as there is in Congress to represent his party views, and he comprehends this proposition. He has found the only objection that exists, in his judgment, to the bill that is advocated here by the President's commission. I anticipate that no one will be able to point out a worse fault in the bill than the gentleman from Wisconsin has pointed out. I have for him the highest personal regard. I do not quarrel with him because he belongs to a political party different from my own. I have no right to quarrel with him because he belongs to a party that has for its purpose and has had, since Calvin Coolidge took the office of President, the destruction of Calvin Coolidge. I do not quarrel with him because neither party has any power to cooperate with his party to prevent anything from being enacted into law. But I am somewhat surprised at some of the new associates he has in the enterprise.

Here is a proposition that he says is "bad" in this bill. He says you must defeat it. You will find it at the bottom of page 8 and on page 9. The cooperatives shall register. The bill provides:

If the board finds as to any association making application for registration, that the association is duly and legally organized under the law of any State or Territory or the District of Columbia; that the association is qualified or composed and operated as provided in section 22, and in the case of a clearing house or terminal market asso-

ciation that such association is suitable for the purposes specified in such section; and that the financial standing and business methods of the association are sound,

Oh, what a terrific power that is to give to the board! What does the converse mean? Why would you amend that to please the distinguished gentleman from Wisconsin? You can change it easily and provide that the board shall admit to membership and have designation as a cooperative every fly-by-night organization in the United States, regardless of the financial standing or their business methods. [Applause.] That is his idea. That is in accordance with the great La Follette platform, on which he stands. But that is not in accord with good business or good government, according to my view of good government. That is his objection to the administration bill.

Mr. VOIGT. Mr. Chairman, will the gentleman yield right there?

Mr. TINCHER. Yes.

Mr. VOIGT. The gentleman asked me in substance what I would do if I were to rewrite that measure.

Mr. TINCHER. No; I did not do that. I knew you would take my time.

Mr. VOIGT. The gentleman has asked how that can be changed? If you are going to have registration, you should register those cooperatives that are doing business according to law.

Mr. TINCHER. Well, that would mean the same thing. But that is not your plan. Your plan is to vote for the Dickinson amendment, hoping to get enough help over here to defeat the administration in carrying out an agricultural program. You ask why we did not report this bill out of the Committee on Agriculture immediately after the commission's report? We had the same fight there that we have here. No political party has a majority in this Congress. Combinations of the opposition can defeat the will of the administration here, and they propose to do it to-day, even though they do it at the expense of the American people. [Applause.]

Mr. KINCHELOE. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. JONES].

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. JONES. Mr. Chairman and gentlemen of the House: An old law professor said to his class, "Young men, when you have the facts of the case, talk about the facts; if you have the law of the case, talk about the law, but if you have neither the law nor the facts, give the opposition h—l." That seems to be the philosophy of the gentleman from Kansas [Mr. TINCHER]. He has neither the law nor the facts in the case, and he has done nothing but talk about his opponents. He devoted about half of his speech to abusing the representatives of the farm organizations.

Gentlemen of the House, the trouble has been that for the last 100 years every other business in the United States has had its representatives here but the farmers have not. Now, for the first time in the glorious history of this country they have representatives here and they have given us some very valuable information. Have not they as much right to send representatives here as any other organization has?

The opposition to this bill is evidenced by the resolutions adopted and presented by various farm organizations. The bill is opposed by Mr. Poteet, the secretary of the National Council of Farm Organizations, which controls a great number of farm organizations. It is opposed by J. W. Brubacker, president of the Pennsylvania Farm Bureau. The New York Dairymen's League is opposed to the bill; J. T. Orr, president of the Texas Farm Bureau Cotton Federation, is opposed to the measure. J. W. Batchelor is opposed to the bill, as is James E. Cashman, president of the Minnesota Farm Bureau Federation. I have a number of letters in opposition to the bill, among them letters from the American Fruit and Vegetable Producers' Association, from the National Council of Cooperative Marketing Producers' Federation, and a number of others which I might mention. I believe I am safe in saying that all of these representatives would prefer the Dickinson substitute to the Haugen bill.

Gentlemen of the House, I am going to offer an amendment to the Dickinson amendment. I have a substitute for this bill which I desire to offer at the proper time in the event the Dickinson substitute is defeated. The substitute which I shall offer would enlarge the Capper-Volstead Act and increase the appropriation for the proper division in the Department of Agriculture. I believe the only practical thing to do is to support the Dickinson amendment, to which I shall offer an amendment, broadening the Capper-Volstead Act, so as to give the cooperatives additional immunities and which has the

approval of a great many of the representatives of these farm organizations.

I have no apology to make for consulting with the representatives of farm organizations. They represent farm organizations and are entitled to speak for the farmer. If they can not, who can? Would you deny the farmers the privilege of having their paid representatives at Washington, whose duty it shall be to see that the interests of the farmer are protected and that all of their legal rights are protected? I say it is right that he should have those representatives here. If they turn traitor to him he can discharge them, and they know it. They are representing his true interests.

Now, the trouble with the original Haugen bill, gentlemen of the House, is the licensing and registration features, and because they are eliminated from the Dickinson bill I propose to support the Dickinson bill. I take this position: I am going to support what I believe is the real interest of agriculture regardless of whether it pleases anyone else or not. The Dickinson bill does not have the license and registration features. If you once require that any cooperative organization be licensed by a Federal board that Federal board, even though the original bill does not give them all the powers they want, can come in and tie onto an appropriation bill any year a little sentence or two which will enlarge their powers. A board can always give a plausible excuse for its continued existence and for the enlargement of its powers. They may tie on a sentence that would destroy the cooperative organizations of this country.

I am opposed to the original Haugen bill because I believe it would tend to wreck the farmers' hopes and to destroy the progress he has made. Therefore, I shall favor the Dickinson substitute.

The CHAIRMAN (Mr. TILSON). The time of the gentleman from Texas has expired.

Mr. JONES. Mr. Chairman, I ask unanimous consent that the amendment which I shall offer to the Dickinson bill be read at the present time for the information of the committee.

The CHAIRMAN (Mr. GREEN). The gentleman from Texas asks unanimous consent that an amendment which he proposes to offer be read for the information of the committee. Is there objection?

There was no objection?

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas to the amendment offered by Mr. DICKINSON of Iowa: Strike out section 7 and insert in lieu thereof the following:

"Sec. 7. That hereafter, in addition to privileges included under the act entitled 'An act to authorize associations of producers of agricultural products,' approved February 18, 1922, that persons engaged in the production of agricultural products, as farmers, planters, ranchers, dairymen, or nut or fruit growers, may act together in associations, corporate or otherwise, with or without capital stock, in collectively processing, preparing for market, handling and marketing in interstate and foreign commerce such products of persons so engaged, and such persons, as well as such associations, may act singly or collectively in carrying out such purposes, including the following purposes:

"(a) Exchanging crop and market information, either by direct exchange or through a common exchange agency.

"(b) Making and carrying out programs for the orderly production and marketing of the agricultural products of individuals so engaged, including programs to adjust the supply of such products to the demands therefor; and

"(c) Pooling and storing such products and pooling the proceeds of the sales of such products, upon such terms as the association and its members agree."

And in section 9, before the word "nothing," insert the following: "Except as provided in section 7 hereof."

The CHAIRMAN. Under the agreement, as the Chair understands it, the gentleman from Kentucky [Mr. KINCHELOE] has 5 minutes remaining and the gentleman from Iowa [Mr. HAUGEN] 18 minutes.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. JACOBSTEIN].

Mr. JACOBSTEIN. Mr. Chairman, I rise merely to reply to a statement made by the gentleman from Kansas [Mr. TINCER].

The gentleman from Kansas [Mr. TINCER], without mentioning names, referred to some remarks that were made yesterday by myself and published in the CONGRESSIONAL RECORD of February 24, in opposition to the Haugen cooperative marketing bill.

The gentleman from Kansas implied that my remarks and my ideas came from Mr. Shapiro, a gentleman who has been active in organizing and promoting cooperative enterprises in this country. I am sure the gentleman from Kansas does not

want to intentionally mislead this House, and, therefore, I am sure he will be glad to correct the false implication in his remarks. The statement that I am about to make likewise relieves Mr. Shapiro of any responsibility for anything contained in my yesterday's speech.

I do not know Mr. Shapiro. Mr. Shapiro does not know me. I have never been in conference with him on any subject. I met him only once in my life, and that was when I was formally introduced to him about five years ago in my home town, Rochester, N. Y. I have never received a communication from Mr. Shapiro on this subject, nor have I ever written him.

My speech was made without his knowledge and without his assistance. In the light of this statement, I hope the gentleman from Kansas will be courteous enough to withdraw his statement which he made by implication with respect to my remarks on this bill.

While I am on the floor I want to reiterate my opposition to this harmful legislation. As I said yesterday, this bill is the "politician's alibi and the farmer's lullaby." The good provisions of this bill are unnecessary and the bad ones are gold bricks. The sound principles in the bill merely duplicate the work now being done in the United States Department of Agriculture and other governmental agencies. The new bureau which this bill would create is a pond where five lame ducks may swim at \$10,000 per year.

New York State ranks seventh in the list with respect to agricultural cooperation, both as to number of farms and the volume of products marketed by cooperatives. I come from a district famous the world over for its apples and its peaches and a score of other agricultural products of the finest quality. There are a number of farmer cooperatives in this district. The largest and best known is that of the Western New York Fruit Growers' Cooperative Packing Association. I received only this morning two telegrams representing the views of this organization, protesting against this particular bill and this general type of legislation. The first telegram is from M. C. Burritt, active in this organization and respected in western New York and elsewhere as an authority on farm problems:

HILTON, N. Y., February 25, 1925.

MEYER JACOBSTEIN,

House of Representatives, Washington, D. C.:

Replying your telegram, am personally opposed to recommendations President's commission on cooperative marketing. Believe Federal marketing board inadvisable and unnecessary, because would tend to unduly promote cooperatives and to duplication of functions established departments. All that cooperatives need is expert assistance to study problems and advise remedies for difficulties. Registration may be O. K., but supervision and control decidedly not desired by New York cooperatives. Believe with small additional funds Department of Agriculture is already prepared to render all assistance needed.

M. C. BURRITT.

The second telegram is from the president of this cooperative association, and is as follows:

ROCHESTER, N. Y., February 25, 1925.

MEYER JACOBSTEIN,

House of Representatives, Washington, D. C.:

Have been in communication with M. C. Burritt. Have seen his wire, and we are in accord with recommendations made by him.

WESTERN NEW YORK FRUIT GROWERS'

COOPERATIVE PACKING ASSOCIATION,

Per W. J. HALL, President.

Dr. James E. Boyle, professor of rural economy in the New York State College of Agriculture, an authority on the subject of cooperative marketing, a man who has traveled all over the country studying this phase of agricultural economics, is strongly opposed to this pending agricultural legislation. In his letter of protest he refers specifically to a passage in President Coolidge's speech made at the White House January 5, 1925, and I will close by quoting this passage:

Firmly as I believe in this procedure, and unqualified as is my confidence in the ability of our farming community to formulate and administer such a program, I want to make plain that I am no blind believer in any magical attributes of the cooperative proceeding. A good deal that is positively mischievous has been put about in this regard. There is a school of cooperators who seem to believe that the program can be started at the top and built downward. They want the Government, or the banks, or philanthropies, or Providence to lay out a scheme big enough to cover the country, set its machinery moving, guarantee it all needed capital, and then invite the farmers to sit in the places reserved for them and proceed to garner their profits. Let me say that I offer no such Aladdinlike project. I want society as a whole to help; but I want the farmers to do their share, and I warn them that this will be the lion's share.

Cooperation must start from the soil. It must have its beginnings in small and modest units. It must train the people who are to use it, to think cooperatively. That will be a process requiring time and attended with failures. As the people learn the lesson, their particular projects in cooperation will gain strength, will command increasing confidence, will expand the benefits to their members. The coordination of these local units will follow, bringing them at last with such a working articulation as experience shall prove practicable.

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. PURNELL].

Mr. PURNELL. Mr. Chairman and gentlemen of the committee, in spite of all the extraneous matter that has crept into this debate, the issue is very simple. Those who oppose the passage of cooperative marketing legislation at this session, those who oppose the President's program, those who oppose the report of the agricultural commission appointed by the President, will support the Dickinson amendment.

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. PURNELL. Yes; I yield.

Mr. DICKINSON of Iowa. Does the gentleman think they would be any less valuable Members of Congress if they are conscientiously opposed to the provisions of this bill, if they did do that than they would be otherwise?

Mr. PURNELL. I am not discussing the question of conscience. I am talking about the practical effect of voting for the Dickinson amendment. It means no cooperative marketing legislation at this session of Congress.

Mr. DICKINSON of Iowa. Will the gentleman yield?

Mr. PURNELL. I can not yield. I only have five minutes.

Mr. DICKINSON of Iowa. The gentleman knows this amendment can be enacted into law just as easily as the Haugen bill.

Mr. PURNELL. Absolutely; I grant you that. We can enact it into law and it would be equivalent to throwing up our hats and giving three cheers for the farmers. The purposes of the Dickinson amendment can be accomplished by already existing agencies through the Department of Agriculture.

I see no reason why cooperative marketing associations in the United States that want to come within the purview of this law should hesitate to register. The gentleman from Kansas stated it in a nutshell when he said that without registration and without supervision we bring into the fold and under the sanction of the Federal Government every fly-by-night organization in the country.

The Dickinson amendment has no teeth in it, and I am frank to say we have taken many of the teeth out of the bill as it stands before you to-day, and we did that, let me say to the gentleman from Kentucky, largely upon the suggestion of Mr. Sykes, who represents the largest group of cooperatives in the United States. Yet we have been confronted here a number of times with the statement that no cooperatives are urging this legislation.

Our committee held two weeks of exhaustive hearings on this subject, at the conclusion of which Mr. Sykes, who, according to his own statement in the hearings, is president of the Chicago Producers' Commission, an organization which represents more than 300,000 livestock farmers of the Middle West, sat down and line by line went over this bill with us and suggested amendments which took out of it the objectionable things that were urged against the bill by the cooperatives. Mr. Sykes did not want brought in under this act the old-line agencies. I agreed with him. If we are to have a cooperative marketing bill, let us have it apply exclusively to cooperatives and not compel them to serve side by side with their acknowledged enemies.

After these cooperatives have registered and have entered into this simple agreement with the Federal cooperative marketing board here is what they agree to do—here is the thing that the gentlemen who oppose the bill object to their doing—first, they agree to submit a semiannual report of their financial condition to the Federal cooperative marketing board. Is there anything wrong with that? Is there any reason why these cooperatives who come within the purview of this act should not once a year submit to this Federal agency a report showing their financial condition?

Next they agree that this board shall settle disputes as to grades, trade practices, and conditions of products. Is there any reason why honest differences between cooperative associations should not be submitted for arbitration to this Federal board?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman one more minute.

Mr. PURNELL. Let me suggest the third indignity to which these cooperatives must submit. They may use the word

"Federal" on their labels and on their stationery, which is notice to the public that deals with or through them that they have come within the power of this act and are willing to submit their reports annually or semiannually to the Government for inspection.

Then these cooperatives are permitted to use this further statement that they are members of the Federal Cooperative Market Association. Gentlemen, I submit that we have taken most of the teeth out of this bill, but we have left enough in it to give a general supervision over the cooperatives without coercion or damage to any individual association or the members thereof. [Applause.]

Mr. KINCHELOE. Mr. Chairman, I yield four minutes to the gentleman from South Carolina [Mr. FULMER].

Mr. FULMER. Mr. Chairman and gentlemen of the committee, I believe that my colleagues, both Democrats and Republicans on the Agricultural Committee, as well as Members of the House, have observed since I have been a Member of Congress and of the Committee on Agriculture that I am deeply interested in agriculture and the agricultural interest of this country. I was born and reared on a cotton farm. I am now actively engaged in farming, therefore I believe I know whereof I speak when it comes to legislation for or against the agricultural interest.

My purpose in coming to Congress was, first, to represent my State; second, to represent my country as a whole. I will say to my Republican friends on my left who represent the West and Northwest, that your interest being identical with ours of the South, my campaign slogan when elected to Congress was that I would try to make friends with you so as to be able to work together with you for agriculture. I realize that if we can pass any constructive legislation which would help your people and increase your prosperity, such legislation would directly help our people because of an increase in your purchasing power, a greater demand for our cotton would be brought about.

I voted for a rule on this bill, H. R. 12348, because I believe that all legislation having merit should be put squarely before the Congress for debate and subject to amendment.

Although we have had considerable hearings on this bill before our committee [Committee on Agriculture] yet of all the farmers and representatives speaking for farm organizations not one appeared before our committee asking to be heard in favor of it. I challenge any member of the committee now to stand up and deny this statement.

Now, let us see what Governor Cary, who is chairman of the President's commission, had to say about it. My good friend SWANK, of Oklahoma, asked the governor the direct question if he knew of any representatives of any cooperative associations who approved of the bill. Mr. Cary answered:

The man whom I consider the best cooperative man in the country approves the plan outlined by our conference. I refer to Mr. Merritt.

Why certainly, Mr. Merritt is for it, for he is one of the President's commissioners. Why could not the chairman of the commission think of some one else besides Mr. Merritt?

Mr. Taber, another one of the commissioners appointed by the President, while testifying before our committee was asked by Mr. KINCHELOE, of Kentucky, the following question:

Has there been anybody before your commission who is for this bill, except Mr. Merritt?

Mr. TABER. Yes; a great many; and I will put the list in the record.

And right here I would like to read into the RECORD such list of those appearing before the President's agricultural conference, showing institutions or organizations represented:

Mr. E. G. Montgomery, United States Department of Commerce.
Mr. Elwood Mead, United States Department of the Interior.
Mr. H. C. Taylor, United States Department of Agriculture.
Mr. S. H. McCrory, United States Department of Agriculture.
Mr. Henry C. Hall, Interstate Commerce Commission.
Mr. W. V. Hardie, Interstate Commerce Commission.
Mr. G. B. Winston, Undersecretary, United States Treasury Department.
Mr. A. F. Woods, president Land Grant College Association.
Mr. Eugene Meyer, director, War Finance Corporation.
Mr. M. L. Corey, member Federal Farm Loan Board.
Mr. W. S. Culbertson, member Tariff Commission.
Mr. W. G. Campbell, United States Department of Agriculture.
Mr. A. W. Miller, United States Department of Agriculture.
Mr. C. L. Marlatt, United States Department of Agriculture.
Mr. W. B. Greeley, United States Forest Service.
Mr. O. C. Merrill, Federal Power Commission.
Mr. J. B. Campbell, member Interstate Commerce Commission.

Mr. R. A. Cooper, Federal Farm Loan Bureau.
 Mr. A. F. Woods, president University of Maryland.
 Mr. Edward A. Brand, secretary National Tanners' Council of America.
 Mr. Hubert Work, Secretary of the Interior.
 Mr. J. R. Mohler, United States Department of Agriculture.
 Mr. C. L. Marlatt, chairman Federal Horticultural Board.
 Mr. C. L. Christensen, United States Department of Agriculture.
 Mr. L. S. Tenny, Bureau of Agricultural Economics, Department of Agriculture.
 Mr. Herbert Hoover, Secretary of Commerce.
 Mr. H. M. Gore, Secretary of Agriculture.
 Mr. George T. Bell, attorney, Washington, D. C.

The above-named 28 persons as inserted into the record by Mr. Taber, who appeared before his commission, certainly do not represent cooperative associations but various departments of the Government; moreover, six college presidents are included in the number.

The following gentlemen representing livestock exchanges also appeared before the commission:

E. C. Brown, president National Livestock Association (Exchange).
 A. G. Frey, president Denver Livestock Exchange.
 A. T. Werthmiller, president Chicago Livestock Exchange.
 J. P. Swift, Kansas City Livestock Exchange.
 A. F. Stryker, Omaha Livestock Exchange.
 J. S. Boyd, secretary National Livestock Exchange.

Certainly these are not the men whom Mr. Taber would have us believe appeared before his committee to represent the farmers of this country. Why, gentlemen, this list contains the name of J. P. Swift, of Kansas City, who is the biggest competitor of the Farmers' Cooperative Live Stock Association in Kansas. I am not surprised at Mr. Taber and his commission in recommending in their report to the Congress that farmers' cooperative associations should take in these terminal exchanges and distributors, for that is just what Mr. Swift and others who would like to run the cooperative businesses would naturally want. I suspect that is why Mr. Swift appeared before the commission, so that he might tell its members how nicely the lion and the lamb could sleep together under this Federal board that they will be able to name for the President. Here is what Mr. TINCER, of Kansas, and Mr. Sykes had to say about Mr. Swift when the latter testified before our committee:

Mr. TINCER. The largest competitor you have in Kansas City is a man that is now president of a live-stock exchange, isn't that so?

Mr. SYKES. Is that the Farmers' Union?

Mr. TINCER. No; I mean the individual who has appeared before the commission, Mr. Swift. There would not be any occasion in the world for designating Jack Swift as a farmers' cooperative, because he spends all his time preaching against farmers' cooperatives over the country.

Although Mr. Sykes's reply to Mr. TINCER was cut out of the hearing, he stated that Mr. TINCER was absolutely right. Yet, gentlemen, Mr. Swift is one of the star witnesses appearing before the commission in behalf of the farmers of Kansas, although Mr. TINCER—a Kansan—admits that Jack Swift is doing all that he can to paralyze cooperatives.

Mr. Taber also gives us a list of names listed as representatives of American Council of Agriculture. Included in this list is the name of Mr. George N. Peek, president of American Council of Agriculture, who appeared before our committee representing his organization. Let us see what Mr. Peek as spokesman for this bunch of farmer's friends said about the President's conference report while testifying before our committee in replying to a question from my good friend, TINCER.

Mr. PEET. I do not see, Mr. TINCER, in whose benefit, as I stated in that memorandum, such a policy as defined in the conference report can be except that of an exporter.

Mr. Hearst is also included in the American Council of Agriculture list of representatives appearing before Mr. Taber's commission. Let us see what he has to say:

Mr. SINCLAIR. In your judgment, do you think that a cooperative bill will save your hog raisers that are now losing money on the hogs that they are raising; do you think if this committee passes this bill that it will save the hog raisers that are losing money on hogs in Iowa now?

Mr. HEARST. We have no difficulty in marketing our hogs cooperatively in Iowa.

Mr. SINCLAIR. You have no difficulty?

Mr. HEARST. We have no difficulty in marketing cooperatively in Iowa.

Mr. SINCLAIR. If this bill is passed by the committee can you see how it will in any way increase the price that you are going to get for your hogs?

Mr. HEARST. Our people do not ask for any cooperative measure, but we are not against it if it will do anybody any good. They do ask for the export corporation.

Mr. SINCLAIR. In your opinion, will it do any good?

Mr. HEARST. I think not, materially; I mean the cooperative bill. I am sure of it.

Mr. SINCLAIR. Then this legislation, if we do pass it, is not going to save the Iowa farmers from bankruptcy then?

Mr. HEARST. No; not a cooperative marketing bill.

When Mr. Sykes appeared before our committee I asked him if this bill should pass would he, as representative of his organization, be getting what he wanted, and he answered, "No, sir." He further stated that it would take five years for it to be worked out in any way that the farmers would get what they would term even "negligible relief."

I understand that Mr. Walton Poteet, of Texas, along with two or three other gentlemen, appeared before Mr. Taber's commission; yet Mr. Poteet, representing his organization in Texas, is absolutely against this legislation. The Tobacco Growers' Cooperative Association—in fact, every cooperative association that I have heard mentioned—is opposed to this legislation.

I can speak for the cotton cooperative associations, especially of South Carolina, and can state that they are getting along fine and growing on a very sound and satisfactory basis, and that they do not want any legislation along these lines. I will read into the Record here a letter from the South Carolina Cotton Growers' Cooperative Association:

SOUTH CAROLINA COTTON GROWERS' COOPERATIVE ASSOCIATION,
 Columbia, S. C., February 9, 1925.

Hon. H. P. FULMER,

House of Representatives, Washington, D. C.

MY DEAR MR. FULMER: At a meeting of the board of directors of the South Carolina Cotton Growers' Cooperative Association held Wednesday, February 4, a resolution was unanimously passed asking the South Carolina delegation in Congress to oppose any legislation at this time affecting the cooperative associations. It was the unanimous view of the board that the cooperatives were making splendid progress at this time, and that all they desire now is a fair and just administration of laws already enacted. The board was especially strong in its opposition to Federal encroachment or supervision of these associations.

We sincerely hope that you will take the leadership in fighting any measures along this line.

With regards, I am

Very truly yours,

HAROLD C. BROOKS, Secretary.

It appears to me that Members who have seen years of service in Congress, even longer than I have served, would sometime in their legislative career stop and think seriously what it really means to pass legislation setting up bureau after bureau in Washington, wholly managed and run by a commission or board composed of Cabinet officers and other men appointed by the President, who, in a large number of instances represent any other interest but the one that they are supposed to represent. Although I am no attorney, yet I can convince any sane, unbiased man that the whole plan contemplated under the bill now under consideration is but a scheme worked out by the Secretary of Commerce, Mr. Hoover, who, if statements are true, represents the great exporting interests of this country and not agriculture.

As previously stated, Mr. Peek, as president of the American Council of Agriculture, of Moline, Ill., appeared before this commission and before our committee and made the statement that he was against this legislation. It should be remembered, too, that he represented 2,500,000 farmers.

Mr. Peek further stated:

I have every reason to believe, and I think I know, that Mr. Hoover is the personal adviser of the President of the United States on agricultural matters, and has been since 1922.

Hence he offered the following resolution to our committee:

The appointment of a congressional committee of either the House of Representatives or of the Senate, or of both, to investigate:

(a) Mr. Hoover's activities in encroaching either personally or through his department upon the functions of the Department of Agriculture. These are, I think, in conflict with the fundamental law creating the department.

(b) Mr. Hoover's connection, directly or indirectly, with the recommendations of the President's agricultural conference; his connection with the reports and publicity of that conference, and his part in defining an agricultural policy contrary to the traditions of American agriculture.

(c) His well-known friendship and connection, if any, with exporters of farm products.

(d) Mr. Hoover's connection with the report and publicity that the resignation of certain bureau chiefs in the Department of Agriculture would soon be requested. It is only just that the rights of great and good men who have loyally supported the policies of the head of their department should be protected before their life work is relegated to the scrap heap.

In submitting this statement I do so without disrespect to any department of the Government or to any individual connected with the Government. I realize that this is a great national question upon which there are different points of view, and that there may be the honest differences of opinion due to natural and unavoidable conflicts of interest. However, I regard the future policy of the Nation toward agriculture as being so serious and of such importance that I feel it is my duty as one well acquainted with the views of agriculture to express myself as clearly as I can without intending in any way to indulge in captious criticism of any individual or of any school of thought in connection with this subject.

Now, let us see if we can help Mr. Peek out in his contention.

On October 25, 1924, and on November 1, 1924, a certain article by Mr. Hoover appeared on the subject of "Cooperative marketing." You will find this article printed on pages 388-389 in Serial CC, Part II, of the hearings before the Committee on Agriculture. I challenge any man to deny that the conference report is not practically word for word in accordance with the views set forth by Mr. Hoover. I shall now give you some of his views as outlined in this article:

The plan I offered at that time was somewhat as follows: First, that we should create a Federal marketing board, this board to be comprised of certain Cabinet officers, a majority of its members, however, to be ultimately chosen by the cooperatives which joined the plan and minority from certain terminal marketing associations to be organized under the general plan.

The board should be authorized to approve the formation of clearing houses for joint action in control of shipments between different cooperatives in a single community, and I would authorize the cooperatives to take private shippers into these clearing houses if cooperatives so wishes, provided, of course, that the private shippers adhere to the rules.

To be sure, Mr. Hoover is to be on this board, yet he states that ultimately the majority of the board is to be chosen by cooperative associations. I suppose this term "ultimately" means after he has had ample time to Hooverize things pertaining to rules and regulations which all farm organizations in America would be utterly unable to overcome.

When Mr. Hearst was testifying, I asked him this question:

Speaking for the people that you represent, do you favor the Hoover plan of selecting this board which is to govern the cooperatives and formulate regulations governing them?

Mr. HEARST. Our people want a representative group of men, and they want to bring that group just as close to the people as they can. They would be opposed to taking away from the people by making arbitrary appointments, but would rather get them from their own people.

Mr. FULMER. As between the two plans of appointing them, the Hoover plan and the one of allowing them to suggest who shall be appointed, which do you favor?

Mr. HEARST. Our people want to make their own suggestions.

Mr. FULMER. You have noticed in the great daily newspapers of this country the headlines about the prosperity of the farmers, some of your farmers, and the farmers of this section of the country. Do you agree with those statements that your people are to-day in a very prosperous condition and a much better condition than they were a year or two years ago?

Mr. HEARST. I want to repeat that I think the farmers are in as bad a condition, a worse condition, to-day than they have been in a long time.

You will observe that Mr. Hoover stated in his article on "Cooperative marketing" that his plans were incorporated in Congressman WILLIAMS's bill. The hearings will show that Mr. Merritt, one of the President's appointees, while speaking before the Agricultural Committee in behalf of the President's commission, stated that the Williams bill embodied the principles of the conference report.

I do not know how you gentlemen feel about it, but, as for me, I am absolutely opposed to any bill that proposes to create another bureau or department to be set up in Washington and presided over by Cabinet members. I can not see why it is necessary to create another bureau, as proposed under the Hoover plan, for it would be but a duplication of the work now being done by the Department of Agriculture, unless it is true that Mr. Hoover is desirous of operating same in such a

manner as to be of assistance to the old-line distributors and exchanges.

Several days ago Mr. Tenny, Chief of Bureau of Agricultural Economics, Agricultural Department, appeared before our committee and gave an account of the work of his bureau along the lines proposed under the Hoover plan, and it was the opinion of every member of the committee that the showing that he made exceeded our expectations. I hope that you will take the time to read his statement in the hearings and get wise as to what the Bureau of Agricultural Economics is doing. Instead of setting up another bureau with an administrative board composed of a personnel other than men who are engaged in cooperative marketing and real agricultural producers, why not add additional help to the Department of Agriculture and additional revenue, so that it will be able to push the splendid work that it is now doing? Under this bill you propose to pay five men \$50,000 in salaries, and it also carries an appropriation of \$500,000, which is but a starter, for it states that—

fix the salaries of a secretary, such experts and other such officers, employees, and agents, and make such expenditures (including such expenditures for rent and personal services at the seat of government and elsewhere, for law books and periodicals and books of reference, and for printing and binding) as may be necessary for the execution of the functions vested in the board, and as may be provided for by the Congress from time to time. All expenditures of the board shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the chairman.

I am a great believer in the original Federal reserve act as passed by the Congress in 1913, but what has happened under a board appointed by the President of the United States? The original act has been so amended from time to time and the regulatory powers of this board have been so increased until not only do thousands of State banks refuse to become members and subject themselves to this board, but to-day if national banks could get out without sacrificing their charters, they would hop out by the hundreds. History may not record and time may cause the rising generation to forget, but nevertheless it is true that the deflation policy put on by the Federal Reserve Board in 1920, which was uncalled for and against the advice and judgment of good, sound-thinking men, has paralyzed agriculture and caused more banks to go broke and more suicides to be committed than has ever before been recorded. Just a few days ago the Congress, against my protest, put through the McFadden so-called antibranch banking bill, which simply legalizes branch banking. Such action was brought about by the influence and propaganda on the part of the great banking centers and will mean within the next few years that independent banking will be a thing of the past and only a few large mother banks will have control of the banking affairs in America.

What about your Tariff Commission in connection with the Fordney-McCumber Tariff Act? When it was brought up for debate leaders of the Republican Party stated that it would be the salvation of the wheat farmers of the West. You men representing wheat-growing States walked right up and voted for it, following your colleagues from the New England States just like goats going to the pasture. Yet every wheat grower and every man representing wheat-growing States who appeared before our committee states that it did not help them at all, but on the other hand advanced the price on all manufactured goods that farmers had to buy. Some time ago the President put an additional amount on the wheat schedule and instead of helping matters, wheat went down. If you want to render a service to a bankrupted agriculture, lower some of the high tariff rates on what the farmer has to buy.

What about another board appointed by the President to manage the intermediate credit system? In the operation of this system for about two years it is true that certain cooperative associations are getting loans. But what about thousands of farmers in the South who to-day are unable to borrow money with which to buy fertilizers—the one thing that is absolutely essential to the production of cotton and other crops in the South?

Listen to what Mr. Merritt, one of the real big guns in the President's commission, had to say about the intermediate credit act and its board while speaking before our committee:

Mr. MERRITT. You have in that organization (board) a group of men who were interested in land loans, who knew the land business, but who did not know the cow business and who did not know the cooperative marketing business. Those banks failed to favorably and sympathetically consider the proposals that were brought to them, and as a consequence, when the War Finance Corporation began to go out of business and ceased to make any more loans, the cattle man had no place to go

except to his local bank. His local bank could not handle the paper when the War Finance Corporation was no longer functioning, and he went to the intermediate bank and was not favorably received.

In another statement, on page 24 of the hearings, Mr. Merritt stated:

In the first place, there is too much red tape.

What about the Interstate Commerce Commission appointed by the President under the Esch-Cummins Act? When this bill was up before the Congress the statement was made that it would create a commission that would stand up for the agricultural interest, shippers, and so forth, and that it would see that the great railroad interests would deal fairly with them. What has happened? Under the law the Federal Government has taken all power away from the States and their respective railroad commissioners and centralized it here in Washington. Instead of playing fair it seems to me that it has gone into the hands of the railroad interest, which has gotten everything asked for, while agriculture can not get even a decent hearing.

I merely mention these facts in connection with various acts and boards to show you how far short these various measures have fallen in doing the great things for agriculture that they were credited with by those who fought for their passage. We should take a day off and study the various amounts that are daily being appropriated here in Congress for the many bureaus and departments. This would give us a chance to think some time of our duty to the over-Federal regulated and overburdened taxpayers of this country.

Gentlemen, I agree with the farmers and cooperative people of the country who have so emphatically expressed themselves against this bill, that if you pass it and place these people in the hands of the kind of board that it provides for, you will put an end to cooperatives, and no good results to the agricultural interest of the country will ensue. Not only in this case but in every other I give due consideration as to who has to "foot the bill." I will now read you who pays these bills:

The politician talks and talks,
The actor plays his part;
The soldier glitters on parade,
The goldsmith plys his art.
The scientist pursues his germ
O'er the terrestrial ball,
The sailor navigates his ship,
But the farmer feeds them all.

The preacher pounds the pulpit desk,
The broker reads the tape;
The tailor cuts and sews his cloth
To fit the human shape.
The dame of fashion, dressed in silk,
Goes forth to dine or call,
Or drive, or dance, or promenade,
But the farmer feeds them all.

The workman wields his shiny tools,
The merchant shows his wares;
The aeronaut above the clouds
A dizzy journey dares.
But art and science soon would fade,
And commerce dead would fall,
If the farmer ceased to reap and sow,
For the farmer feeds them all.

I believe that you Members who are always talking farm legislation while in the meantime you are voting extra taxes for some one to pay are day by day in every way surrendering unto the Federal Government the rights of the States, which, to my mind, will some day give this great American Republic serious trouble. [Applause.]

Mr. HAUGEN. Mr. Chairman, we have only one more speech on this side.

Mr. KINCHELOE. Mr. Chairman, I yield one minute to the gentleman from Iowa [Mr. Dickinson].

Mr. DICKINSON of Iowa. Mr. Chairman, I do not want any misunderstanding with reference to my position on this bill. I am presenting this amendment because I believe that it has merit in it, and not because I believe it is going to embarrass any administration. I am just as loyal a Republican and supporter of this administration as is the gentleman from Kansas. I put just as much effort into the campaign as did the gentleman from Kansas, and I do not like the insinuation that a man because he does not happen to go along in just the way some men want him to do that he is going to be slated as a man not in sympathy with the administration. [Applause.]

There has been a great slogan from the Republican Party—and here I want to talk to the Republican side of the House—that the Government ought to get out of business, and the very thing you are saying that this amendment is going to do is to make the Government guardian for the cooperative organizations of the country and make them keep their books the way you want them. That is the only issue, whether or not you are going to make the cooperative people submit to these requirements. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HAUGEN. Mr. Chairman, all that is claimed for the pending amendment is advice and counsel to the farmers. I submit that for the last half century Congress has expended millions of dollars in giving advice to the farmers through the Department of Agricultural and State agricultural colleges. If this amendment is adopted we set up a dual system; we have the Department of Agriculture on the one hand giving advice and counsel and another association, appropriating \$500,000 for it, to simply give advice and counsel to the farmers and embarrassing the Department of Agriculture. What does the amendment provide for? To give advice, not from the Department of Agriculture but the Bureau of Economics.

Mr. McSWAIN. I judge the gentleman—

Mr. HAUGEN. Just a minute. I have the floor.

Much has been said about Mr. Holman. He is the secretary of the Milk Producers' Association, as I understand it. He is not elected by the farmers. Here is what he has to say about the Dickinson bill, on page 374, hearings, February 12, 1925. He says:

To meet the problem as we see it, we prepared, in consultation with Representative DICKINSON, a bill, which was introduced by him, only for discussion before the committee.

It was given consideration by the committee. It was turned down by the committee, because the committee thought that we should have something containing more than merely an advisory commission.

Time will not permit me to discuss the bill in full. I shall read to you from what the representatives of the farm organizations have to say. They appeared before this committee.

On page 300, hearings of February 11 and 12, Mr. Taber, who is at the head of the National Grange, said:

I agree with Mr. Carey that this bill of your chairman represents what we have suggested more nearly than anything else, except that it leaves off the Secretary of Commerce.

Then Mr. Bradfute, who is at the head of the American Farm Bureau, replied to a question:

Mr. CLAGUE. I wanted to know whether that bill introduced by Mr. HAUGEN does, in your opinion, carry out the views of your committee as expressed by your committee in this report?

Mr. BRADFUTE. I have been informed by other members of the committee that it seemed to them to quite clearly carry out the ideas of the committee.

Mr. Bradfute is for the measure as drafted. He thinks it carries out the suggestions made by the conference assembled by the President.

Other members of that conference appeared before the committee—Governor Carey and other members of the conference gave the bill their approval.

I quote from page 272 of hearings before the Committee on Agriculture, February 11, 1925:

Mr. PURNELL. Have you some definite program in your mind as to the manner in which you wish to discuss this bill?

Mr. CAREY. I think not. I have stated that the bill meets with the approval of our commission. * * * This bill, I think, covers the ground very well.

Our friend Mr. Holman is evidently opposed to legislation, and he is opposed to any amendment to the Capper-Volstead Act. I have here with me a copy of this very bill that contains about two dozen amendments suggested by the president of the Milk Producers' Association—not by the Secretary—and so we find the Secretary opposed to the legislation and we find the president and the other officers of the milk producing association differing with Mr. Holman.

Will you take Mr. Holman's suggestions, the Secretary's, or will you take the suggestions made by representatives elected by the farmers and who are here representing them. After this amendment was offered by Mr. Holman, Judge Miller came from Florida and their attorney from New York to present amendments to the committee bill.

Mr. DICKINSON of Iowa. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. I have not the time.

Mr. DICKINSON of Iowa. Did not Mr. Miller say that he was in favor of my bill as against the one pending before the House?

Mr. HAUGEN. The judge submitted amendments to the committee bill introduced by me now under consideration.

Mr. DICKINSON of Iowa. He said it, too.

Mr. HAUGEN. Let me call attention to one thing. What does the bill do? Section 8, page 9, amends the Capper-Volstead Act.

Section 8 reads:

For the purpose of promoting equitable and advantageous distribution and disposition of their products, cooperative marketing associations, singly or collectively, may pool their products, exchange crop and market information, and make and carry out orderly production and marketing programs; may form associations or provide agencies for the joint marketing and disposition of their products.

And in the next section—let me read it to you—

Nothing herein shall be taken or construed as modifying or repealing the provisions of chapter 57, Forty-second Statutes at Large, entitled "An act to authorize associations of producers of agricultural products" (the Capper-Volstead Act).

First, in section 8, you amend the Capper-Volstead Act, and then in section 12, the very next breath, you say nothing shall be construed to modify or repeal it. The statement is absurd.

Under the Holman-Dickinson amendment the functions of the council and board would be limited to giving advice and counsel to cooperative marketing associations; that is, to the farmers. But as to others the board might go so far as—

To discuss, investigate, and perfect a program for the development of a more perfect marketing system, more efficient marketing by cooperative associations—

so much desired by the grain, stockyard, and cotton exchanges.

Section 3, page 2, defines the term "cooperative marketing associations" to be composed of producers of agricultural products as defined in the Capper-Volstead Act.

Section 6 creates a Federal cooperative marketing board, to consist of five individuals and Secretary of Agriculture.

Section 7, page 8, reads:

It shall be the duty of the board to consider special questions of policy affecting marketing of farm products—

And so forth.

Paragraph 8 (page 9): The board is given the power to discuss, investigate, and perfect a program for the development of a more perfect marketing system, more efficient marketing cooperative association, to improve standards, grades, and so forth, not to perfect a program for the development of a more perfect marketing system for the cooperative marketing associations, but for another, the cooperative association. This, I take it, would include any marketing organization as a cooperative association, regardless of their affiliations or activities. No one knows what the board to be created has in mind in determining the question of a more perfect marketing system. At any rate, the marketing system of South Water Street, Chicago, of the stockyards, the grain and cotton exchanges, are to be made a more perfect marketing system by the board. Shall they be given the freedom? Shall they be allowed to pool? Combine and boost prices or to lower? Shall they be immune from the antitrust laws? Is it wise to delegate legislative power to a new board to be created? Many seem to believe that the antitrust laws were enacted specifically to protect the shipper, consumer, and public against the practices of marketing agencies, such as the stockyards, grain and cotton exchanges, and of dairy and poultry marketing agencies. If so, why should it not be made clear that they shall continue to be subject to the antitrust laws, as is provided in the bill under consideration. Federal Trade Commission reports indicate that there is something wrong about their marketing system. A number of complaints have been made against them. Evidently all operators on our exchanges are not infallible.

On page 9: Why take from the Secretary of Agriculture the power to establish standards and grades? Why give the board the power to determine a more perfect marketing system for the exchanges, if the antitrust laws are sound and proper? Why delegate to any board the power to destroy it?

The main contention before our committee was whether we should grant immunity to nonproducers who fail to qualify, the same as was granted to the farmers or producers under the Capper-Volstead Act. The committee has made it clear in the bill reported that this is a farmers' bill, and that only farmers

shall enjoy the immunities that are granted in the Capper-Volstead Act. The Dickinson amendment before you now would grant immunity to everybody who may care to come in, whether they are producers or nonproducers. You will find that in section 7 (h).

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. In a minute. If you want to legislate to protect the operators on the exchanges and those who do not qualify under the Capper-Volstead Act, then you should vote for the Dickinson amendment, or you should have voted for the Yoakim bill. Is this to be styled a farmers' bill, or shall it be one for operators—those against whom we have been legislating? We have passed several laws, the packers and stockyards act, the futures trading act, the Sherman Act, a number of antitrust laws, and here in sentence 7, paragraph (h), page 9, it is proposed to wipe them all off the statutes of the United States.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. CONNALLY of Texas. The gentleman has made it very clear that he is in favor of granting immunity.

Mr. HAUGEN. Oh, no; not to everybody, only to producers.

Mr. CONNALLY of Texas. Which one of these bills grants the most immunity?

Mr. HAUGEN. The amendment offered grants immunity to everybody. It goes beyond producers.

Mr. SNYDER. Mr. Chairman, there seems to be a misunderstanding about the statement of Mr. Miller, the head of the Dairymen's League. Mr. Miller told me to-day that he favored the Dickinson amendment.

Mr. HAUGEN. Yes; and I have his amendments here. There are about a dozen of them. The amendments are to the pending bill, and not one of them refers to the Dickinson bill.

Mr. SNYDER. I just wanted to clear up that proposition.

Mr. HAUGEN. Very well.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. BURTNESS. If I understand the gentleman correctly, it is his claim that every power that is given this Federal agency that is established in the Dickinson bill is now exercised substantially, at any rate, by the Department of Agriculture.

Mr. HAUGEN. Oh, it is to advise and counsel, and the Department of Agriculture has been doing that for half a century. This board is to go to a bureau of the department and not to the Secretary of the Department of Agriculture and get its information, and after it has its information it may go back to the department to advise that the department may proceed.

The CHAIRMAN. The time of the gentleman from Iowa has expired. All time has expired.

Mr. JONES. Mr. Chairman, I offer the amendment which I have sent to the desk to the Dickinson amendment, which amendment has been already reported.

The CHAIRMAN. The gentleman from Texas offers an amendment, which has been already reported.

Mr. JONES. I ask that the amendment be again reported.

The CHAIRMAN. The Clerk will report the Jones amendment to the Dickinson amendment.

The Clerk again reported the Jones amendment to the Dickinson amendment.

Mr. DICKINSON of Iowa. Mr. Chairman, I accept the amendment of the gentleman from Texas.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas to the amendment offered by the gentleman from Iowa.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from Iowa as amended by the amendment of the gentleman from Texas.

The question was taken; and there were on a division (demanded by Mr. TINCHER)—ayes 138, noes 78.

So the amendment was agreed to.

Mr. DICKINSON of Iowa. Mr. Chairman, I ask unanimous consent that the subsequent sections of the bill be stricken out.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the subsequent sections of the bill be stricken out. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GREEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 12348, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its Chief Clerk, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 2693) in reference to writs of error, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHORTRIDGE, Mr. STEELING, and Mr. WALSH of Montana as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolutions, in which the concurrence of the House of Representatives was requested:

Senate Concurrent Resolution 30

Resolved by the Senate (the House of Representatives concurring), That the Committees on Military Affairs of the Senate of the United States and the House of Representatives, or subcommittees thereof, be, and hereby are, authorized to sit jointly during the sessions or adjourned intervals of the Sixty-eighth and Sixty-ninth Congresses, at such times and places as may seem advisable to the said committees or their subcommittees; to make investigations of the condition of Army posts and forts and other properties maintained for the military arm of the Government; to employ such clerical assistance as may be required in the judgment of said committees, to send for persons, books, and papers, to administer oaths and to employ a stenographer or stenographers at a cost of not to exceed 25 cents per hundred words to report such hearings as may be had in furtherance of the purposes hereof; the expenses thereof to be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers certified to by the chairman of the said committees or of their subcommittees and properly approved.

Senate Concurrent Resolution 36

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint congressional commission to be known as the Joint Commission of Inquiry on Cotton Statistics, and to be composed of three Senators appointed by the President of the Senate pro tempore and three Members elect of the House of Representatives for the Sixty-ninth Congress appointed by the Speaker. The commission is authorized and directed (1) to make a complete examination and audit of cotton statistics in the Bureau of the Census, showing the carry over, the production, the consumption, and distribution each year, and the correct amount of cotton now on hand, and (2) to make a report to the Congress as to its findings, together with recommendations for legislation, if any be thought necessary. The commission shall elect a chairman from among its members, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

For the purposes of this resolution the commission or any subcommittee thereof is authorized to hold hearings and to sit and act at such places and times, to employ such experts, and clerical, stenographic, and other assistants, to require by subpoena or otherwise the attendance of such witnesses, and the production of such books, papers, and documents, in the custody of any Federal official, to administer such oaths, and to take such testimony as it deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. It shall be the duty of any Government establishment, upon request by the commission, to cooperate with and render assistance to the commission in carrying out the provisions of this resolution. The expenses of such commission shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers properly approved.

Senate Resolution 345

Resolved, That the Senate has heard with deep regret and profound sorrow the announcement of the death of the Hon. MEDILL McCORMICK, late a Senator from the State of Illinois.

Resolved, That a committee of 10 Senators be appointed by the President pro tempore to take order for superintending the funeral of Mr. McCORMICK, to be held in the city of Chicago, Ill.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Pursuant to the provisions of the foregoing resolution, the President pro tempore appointed Mr. McKINLEY, Mr. ERNST, Mr. FERNALD, Mr. SHORTRIDGE, Mr. WADSWORTH, Mr. UNDERWOOD, Mr. WALSH of Massachusetts, Mr. KING, Mr. DIAL, and Mr. SHIELDS as members of the committee on the part of the Senate to superintend the funeral of the deceased.

DEATH OF SENATOR MEDILL McCORMICK

Mr. MADDEN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. MADDEN. Mr. Speaker, I rise to express my sincere regret at the death of Senator McCORMICK, a Member of the Senate from the State of Illinois, and I offer the resolutions which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Hon. MEDILL McCORMICK, a Senator of the United States from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 18 Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

Mr. MADDEN. Mr. Speaker, it was a very great shock to learn of the sudden death of Senator MEDILL McCORMICK this morning. The people of the country, I am sure, will bow their heads in sorrow at the knowledge of his departure. I am directed by the delegation from the State of Illinois to say that at a later date we will ask that a day be set aside to pay tribute to the memory of the deceased Senator and his work during his lifetime. In the meantime, Mr. Speaker, I am requested by the relatives of Senator McCORMICK to invite the Members of the House, as many as can go, to the funeral services which will be held to-morrow morning at No. 15 Dupont Circle at 11 o'clock.

The SPEAKER. The Clerk will report the additional resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The SPEAKER. The question is on agreeing to the resolutions.

The question was taken, and the resolutions were unanimously agreed to.

ADJOURNMENT

Accordingly (at 4 o'clock and 26 minutes p. m.) the House adjourned until to-morrow, Thursday, February 26, 1925, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

910. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia for the fiscal year 1925, in the sum of \$5,000, for the health department for the prevention of contagious diseases (H. Doc. No. 655); to the Committee on Appropriations and ordered to be printed.

911. A letter from the Secretary of the Navy, transmitting a recommendation for congressional relief for the family of Dimitri Pascallidis, who was killed by an automobile driven by American sailors in Constantinople January 15, 1923; to the Committee on Claims.

912. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Agriculture for the fiscal year ending June 30, 1926, for payments to agricultural experiment stations, \$960,000 (H. Doc. No. 656); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. UNDERHILL: Committee on the District of Columbia. H. R. 12388. A bill for the acquirement of land in the District of Columbia as sites for public buildings and other purposes; without amendment (Rept. No. 1586). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLANTON: Committee on the District of Columbia. H. R. 12248. A bill to establish a woman's bureau in the Metro-

politan police department of the District of Columbia, and for other purposes; with amendments (Rept. No. 1588). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE of Kansas: Committee on Election of President, Vice President, and Representatives in Congress. S. 300. An act to provide for election contests in the Senate of the United States; without amendment (Rept. No. 1589). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HILL of Washington: Committee on the Public Lands. H. R. 12018. A bill granting and relinquishing title to certain lands in the State of Washington to the American Board of Commissioners for Foreign Missions, and for other purposes; with an amendment (Rept. No. 1587). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HOCH: A bill (H. R. 12418) to amend section 4 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. GUYER: A bill (H. R. 12419) authorizing and directing the Secretary of War to investigate the feasibility and to ascertain and report the cost of establishing a military road connecting Fort Leavenworth and the city of Kansas City, Kans., and of establishing a national military park adjacent thereto; to the Committee on Military Affairs.

By Mr. KIESS: Concurrent resolution (H. Con. Res. 47) providing for the printing of the Journal of the Twenty-sixth National Encampment of the Veterans of Foreign Wars of the United States; to the Committee on Printing.

By Mr. McLAUGHLIN of Nebraska: Joint resolution (H. J. Res. 376) providing for payments to the Capitol police for extra services; to the Committee on Accounts.

By Mr. HUDSPETH: Memorial of the Legislature of the State of Texas, on the subject of the establishment of non-cotton zones in the State of Texas by the Federal Government; to the Committee on Claims.

Also, memorial of the Legislature of the State of Texas, on the subject of the bill for removal of Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Texas, in support of bill known as cotton-tax refund measure; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JACOBSTEIN: A bill (H. R. 12420) granting an increase of pension to Julia A. Bush; to the Committee on Pensions.

Also, a bill (H. R. 12421) granting an increase of pension to Cora Shoemaker; to the Committee on Pensions.

Also, a bill (H. R. 12422) granting an increase of pension to Melissa M. Snyder; to the Committee on Invalid Pensions.

By Mr. JOHNSON of West Virginia: A bill (H. R. 12423) to amend the military record of William M. Chevront; to the Committee on Military Affairs.

By Mr. STRONG of Kansas: A bill (H. R. 12424) granting an increase of pension to Sophia A. Brassfield; to the Committee on Invalid Pensions.

By Mr. WILSON of Indiana: A bill (H. R. 12425) granting an increase of pension to Mary J. Caskey; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3909. By Mr. FREDERICKS: Petition of sundry residents of Los Angeles County, Calif., requesting support of H. R. 5934, providing increase of pension for soldiers and sailors of Spanish-American War; to the Committee on Pensions.

3910. Also, petition of sundry residents of Los Angeles County, Calif., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

3911. By Mr. GIBSON: Petition of sundry citizens of Rutland County, Vt., protesting against pending legislation having for its purpose compulsory Sunday observance (S. 3218); to the Committee on the District of Columbia.

3912. By Mr. HICKEY: Petition of Mrs. O. W. Wheeler, 116 West Oakside Street, South Bend, Ind., signed by citizens of South Bend, protesting against the Jones Sunday bill; to the Committee on the District of Columbia.

3913. By Mr. LEAVITT: Petition of the Libby (Mont.) Woman's Club, urging participation by the United States in the World Court on the basis of the Harding-Hughes reservations; to the Committee on Foreign Affairs.

3914. By Mr. SHREVE: Petition of Gem City Lodge, Erie, Pa.; Faith Lodge, No. 286, L. A. to B. of L. F. and E., Albion, Pa.; Erie Lodge, No. 371, Br. of R. C., Erie, Pa.; Wesley Lodge, No. 891, B. of L. F. and E., Erie, Pa.; Myrtle Lodge, No. 227, L. A. to B. of L. F. and E., Meadville, Pa.; W. L. Scott Division 298, B. of L. E., Erie, Pa., favoring the enactment of the postal salary adjustment measure (S. 3674 and H. R. 11444); to the Committee on the Post Office and Post Roads.

3915. By Mr. WILLIAMS of Michigan: Petition of Mrs. W. F. Leslie and 35 other residents of Battle Creek, Mich., protesting against the passage of Senate bill 3218, the Sunday observance bill, so called; to the Committee on the District of Columbia.

3916. Also, petition of Oscar A. Bryant and 31 other residents of Calhoun County, Mich., protesting against the passage of Senate bill 3218, the Sunday observance bill, so called; to the Committee on the District of Columbia.

SENATE

THURSDAY, February 26, 1925

The Senate met at 11 o'clock a. m.

Rev. Henry W. O. Millington, D. D., of the city of Washington, offered the following prayer:

Almighty God, our Heavenly Father, we stand here in the shadow of a great affliction and there is upon us a great sense of need. Come to us in Thy loving mercy and be our consoler and our helper just now. We thank Thee for those who have lived and served, and in particular for Thy servant who has just gone forth from the day of service to his reward. We ask Thee, gracious Father, that to-day Thou wilt give Thy consolation to those who mourn, Thy friendship to those who are lonely, Thy strength to those who are weak.

Bless the Members of this body. We pray Thee that in the loneliness of loss to-day we may so number our days as to apply our hearts unto wisdom. May these Thy servants stand forth in Thy wisdom. May they be baptized in Thy spirit. May they be established in Thy truth and righteousness, and thus serving may they accomplish Thy will and way in the life of this Nation and in all the world. We ask it in the name of Thy dear Son, our Savior. Amen.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

RECESS

Mr. CURTIS. Mr. President, as this is the hour when the funeral ceremonies of the late Senator McCormick begin, I ask unanimous consent that the Senate take a recess until 12.15 p. m. to-day.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kansas?

Mr. TRAMMELL. Mr. President, I would like to understand from the majority leader whether the recess is going to displace the order coming over from a previous day. I have pending a resolution which was being considered when we adjourned yesterday. If the recess is going to displace that resolution, I hope we may have some agreement regarding it.

Mr. CURTIS. Personally I have not looked into the question, but I should think that the Senator's resolution would come up after the routine morning business just the same.

Mr. TRAMMELL. I would like to have it understood, as far as it can be understood, that the resolution will come up in the regular order.

Mr. SMOOT. It will come up in regular order.

Mr. CURTIS. I think it will. That is my understanding; but, as I said, I have not looked up the matter.

Mr. TRAMMELL. I have no objection.

The PRESIDENT pro tempore. The Chair hears no objection, and the Senate stands in recess until 12.15 p. m.

Thereupon the Senate (at 11 o'clock and 5 minutes a. m.) took a recess until 12.15 o'clock p. m., when it reassembled.